

# भारत का राजपत्र The Gazette of India

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके  
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

**गृह मंत्रालय**

कार्मिक और प्रशासनिक सुधार विभाग)

आदेश

नई दिल्ली, 12 दिसम्बर, 1983

का० आ० 1.—दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, हरियाणा सरकार की सहमति से भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 302 और 201 के अधीन दण्डनीय अपराधों के और उक्त अपराध के संबंध में या उनसे संबंधित प्रयत्नों, षड्यंत्रों और षड्यंत्रों के तथा 19-7-1982 को S-एम/58 न्यू इंडस्ट्रियल टाउन, फरीदाबाद के निवासी श्री मतीश नागपाल की पत्नी श्रीमती उषा नागपाल की मृत्यु के संबंध में ही संयवहार के अनुक्रम में किए गए किसी अन्य अपराध के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तारण संपूर्ण हरियाणा राज्य पर करती है।

[संख्या 228/15/83-ए०वी०डी०-II]

New Delhi, the 21st December, 1983

(Department of Personnel and Administrative Reforms)

**ORDER**

New Delhi, the 12th December, 1983

S.O. 1.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi

1208/GI-1983-1

(1)

Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the Government of Haryana, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Haryana for the investigation of offences punishable under sections 302 and 201 of the Indian Penal Code 1860 (45 of 1860) and attempts, abettments and conspiracies in relation to or in connection with the said offences and any offences committed in the course of the same transaction in regard to the death of Shri Usha Nagpal, wife of Shri Satish Nagpal, resident of M/58, New Industrial Town, Faridabad on 19th 7/1982.

[No. 228/15/83-A-II]

नई दिल्ली, 22 दिसम्बर, 1983

का० आ० 2.—केन्द्रीय सरकार, दंड संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग की हुई, श्री सत्यनारायण, अधिवक्ता को हैदराबाद स्थित आंध्र प्रदेश उच्च न्यायालय में दिल्ली विशेष पुलिस स्थापन नियमित मामला सं० 8/70 एफ एस-1 उन्नत होने

अपीलों के संबंध में आगे कार्यवाही करने के लिए विशेष लोक अधियोजक नियुक्त करती है।

[सं० 225/20/83-ए०वी०डी०-II]

ए०वी० के० वर्मा, अवर सचिव

New Delhi, the 22nd December, 1983

S.O. 2.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri D. Saayanarayana, Advocate as a Special Public Prosecutor for the prosecution of appeals arising out of Delhi Special Police Establishment Regular Case No. 8/70-F.S.I in the Andhra Pradesh High Court at Hyderabad.

[F. No. 225/20/83-AVD-II]

H. K. VERMA, Under Secy.

### वित्त मंत्रालय

(राजस्व विभाग)

आयकर

नई दिल्ली, 20 फरवरी, 1982

का०आ० 3.—वित्त मंत्रालय (राजस्व विभाग) की अधिसूचना सं० 2753 (फा० सं० 203/141/78-आई टी ए II) तारीख 27-3-79 में फाउन्डेशन का नाम निम्नलिखित रूप में पढ़ा जाएगा :—

“इंडिया फाउन्डेशन, नई दिल्ली” के स्थान पर “इंडिया फाउन्डेशन फार डेवलपमेंट, नई दिल्ली” पढ़ें।

फा० सं० 203/141/78-आई टी ए II]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 20th February, 1982

INCOME-TAX

S.O. 3.—In exercise of Finance (Department of Revenue) Notification No. 2755 (F. No. 203/141/78-ITA-II) of 27-3-79 the name of the Foundation may be read as

For	Read
In foundation, New Delhi.	India Foundation for Development, New Delhi.

[No.4485/F. No. 203/141/78-ITA-II]

नई दिल्ली, 22 जुलाई, 1982

आयकर

का० आ० 4.—पर्वसाधारण की जानकारी के विस्तृत आधार पर अधिसूचित किया जाता है कि विहित प्रकृति, अर्थात् भारतीय सामाजिक विज्ञान अनुसंधान परिषद् ने निम्नलिखित संस्था को आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खण्ड (3) के अंतर्गत के लिए निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्—

(1) कि मंगलूर विश्वविद्यालय, मंगलूर द्वारा इस छूट के अधीन एकत्रित विधियाँ केवल सामाजिक विज्ञानों के अनुसंधान को बढ़ावा देने के लिए ही उपयोग में लाई जाएगी।

(2) यह कि उक्त विश्वविद्यालय इस छूट के अधीन इस प्रकार ऐसी एकत्रित निधियों का पृथक् रखेगा और अपने क्रियाकलापों की एक वार्षिक एवरेट के माध्यम से वर्षों का ऐसा विवरण-पत्र

परिषद् को भेजेगा जिसमें विशेषतः इस छूट के अधीन एकत्रित निधियों को और इन निधियों को उपयोग में लाने के ढंग को नियमित रूप से दर्शाया गया हो।

(3) यह कि उक्त विश्वविद्यालय अपने कुल आय तथा व्यय की और अपनी परिसम्पत्तियाँ और देनदारियाँ दर्शाने हुए तुल्य-पत्र की एक-एक प्रति, प्रतिवर्ष 30 जून तक विहित अधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

(4) आयकर अधिनियम, 1961 की धारा 35

(1) (3) के अधीन प्राप्त दान की राशि में से अप्रयुक्त निधियों को धारा 13 (1) (घ) में विहित रीति में निवेश किया जाएगा जिसमें सरकारी बचत प्रमाण-पत्रों में पूँज निवेश, अनुसूचित बैंक में जमा करना, यूनिट ट्रस्ट ऑफ इंडिया में निवेश सरकारी क्षेत्र की कंपनियों में जमा करना, डाकघरों और संचार कंपनियों आदि में जमा करना शामिल है।

संस्था

मंगलूर विश्वविद्यालय, मंगलूर

यह अधिसूचना जारी करने की तारीख से तीन वर्षों की अवधि के लिए वैध है।

[सं० 4821 (फा० सं० 203/156/81-आ०क०नि०-2)]

New Delhi the 22nd July, 1982

INCOME TAX

S.O. 4.—It is hereby notified for general information that the institution mentioned below has been approved by the Indian Council of Social Science Research, the Prescribed authority for the purposes of clause (iii) of sub-section (1) of Section 35 of the Income-tax Act 1961 subject to the following conditions :—

- (i) That the funds collected by the Mangalore University, Mangalore under this exemption shall be utilized exclusively for promotion of research in Social Sciences.
- (ii) That the University shall maintain a separate accounts of the funds so collected by them under this exemption and shall send to the Council an Annual Report of its activities alongwith the Statement of Accounts regularly showing specifically the funds collected under this exemption and the manner in which these funds are utilized.
- (iii) That the University shall submit to the prescribed authority by 30th June each year a copy each of their total income and expenditure and balance sheet showing its assets and liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.
- (iv) Any unutilized funds, out of the donations received under section 35(1)(iii) of Income-tax Act, 1961, will be invested in the manner prescribed in Section 13(1)(d) which includes investment in Govt. Saving Certificates, deposit in Scheduled Bank, investment in U.T.I., deposits with the Public sector Companies, deposits in Post Office and Govt. Companies etc.

## INSTITUTION

Mangalore University, Mangalore.

This notification is valid for a period of three years from the date of its issue.

[No. 4821/F. No. 203/156/81-ITA.II]

नई दिल्ली, 7 दिसम्बर, 1983

आयकर

1. 5.—सर्वसाधारण की जानकारी के द्वारा अधिसूचित किया जाता है कि विहितकारी, अर्थात् विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उप-धारा (1) के खंड (2) के प्रयोजनों के लिए अन्य प्राकृतिक तथा अनुप्रयुक्त विज्ञानों के क्षेत्र में "कालेज" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है, अर्थात्:—

1. यह कि रीजनल इंजीनियरिंग कालेज, तिरुचिरापल्ली, वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।

2. यह कि उक्त कालेज अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्ररूप में प्रस्तुत करेगी जो इस प्रयोजन के लिए अधिकथित किया जाए और उसे सूचित किया जाए।

3. यह कि उक्त कालेज अपनी कुल आय व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियों, देनदारियां दर्शाते हुए तुलन-पत्र की एक-एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगी तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।

संस्था

रीजनल इंजीनियरिंग कालेज, तिरुचिरापल्ली।

यह अधिसूचना 9-8-1983 से 8-8-1986 तक तीन वर्ष की अवधि के लिए प्रभावी है।

[सं० 5502/फा सं० 203/86/83-सं०क०/वि० II]

एम० जी० सी० गोयल, अवर सचिव

New Delhi, the 7th December, 1983

## INCOME-TAX

S.O. 5.—It is hereby notified for general information that the institution mentioned below has been approved by Department of Science & Technology, New Delhi, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Collage" in the area of other natural and applied sciences subject to the following conditions:—

(i) That the Regional Engineering College, Tiruchirapalli, will maintain a separate account of the sums received by it for scientific research.

(ii) That the said College will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.

(iii) That the said College will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.

## INSTITUTION

Regional Engineering College, Tiruchirapalli.

This notification is effective for a period of three years from 9-8-1983 to 8-8-1986.

[No. 5502/F. No. 203/86/83-ITA.II]

M. G. C. GOYAL, Under Secy.

नई दिल्ली, 19 दिसम्बर 1983

आयकर

का० आ० 6.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 18-11-83 की अधिसूचना सं० 5470 [फा० सं० 398/13/83-आ०क० (ब)] का अतिलंघन करते हुए, केन्द्रीय सरकार एतद्वारा श्री के० आर० के० मेनन को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री के० आर० के० मेनन द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं० 5533 (फा० सं० 398/13/83-आ०क० (ब))]

New Delhi, the 19th December, 1983

## INCOME-TAX

S.O. 6.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification of the Government of India in the Department of Revenue No. 5470 (F. No. 398/13/83-ITB) dated 18-11-1983, the Central Government hereby authorises Shri K. R. K. Menon, being a gazetted officer of the Central Government to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri K. R. K. Menon takes over charge as Tax Recovery Officer.

[No. 5533 (F. No. 398/13/83-ITB)]

नई दिल्ली, 21 दिसम्बर, 1983

का० आ० 7.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 4-6-83 की अधिसूचना सं० 5247 (फा० सं० 398/21/83-आ०क० (ब०)) का अतिलंघन करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी०पी० भट्टाचार्य जी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है,

उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती हैं :

2. यह अधिसूचना, श्री बी०पी० भट्टाचारजी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5537 (फा०सं० 398/21/83-आ०क० (ब०))]

New Delhi, the 21st December, 1983

#### INCOME-TAX

S.O. 7.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 5247 (F. No. 398/21/83-ITB) dated 4-6-83, the Central Government hereby authorises Shri B. P. Bhattacharjee, being a gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri B. P. Bhattacharjee takes over charge as Tax Recovery Officer.

[No. 5537/F. No. 398/21/83-ITB]

#### आयकर

का० आ० 8.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप खण्ड (3) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 13-9-82 की अधिसूचना सं० 4909 [फा सं० 398/19/82-आ० क० (ब०)] का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री एन०जी० नन्दी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है ।

2. यह अधिसूचना, श्री एन०जी० नन्दी द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी ।

[सं० 5535 (फा०सं० 398/21/83-आ० क० (ब०))]

बी० ई० अलेक्जेंडर, अवर सचिव

#### INCOME-TAX

S.O. 8.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. [F. No. 398/19/82-IT(B)] dated 13-9-1982, the Central Government hereby authorises Shri N. G. Nandi, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri N. G. Nandi takes over charge as Tax Recovery Officer.

[No. 5535/F. No. 398/21/83-IT(B)]

B. E. ALEXANDER, Under Secy.

(आर्थिक कार्य विभाग)

(बीमा प्रभाग)

नई दिल्ली, 21 दिसम्बर, 1983

का० आ० 9.—जीवन बीमा निगम अधिनियम, 1956 (1956 का 31) की धारा 4 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एच. एम. एस. भटनागर, अपर सचिव (बीमा), आर्थिक कार्य विभाग, वित्त मंत्रालय को कुमारी-कुसुम लता मिश्रा के स्थान पर भारतीय जीवन बीमा निगम का सदस्य नियुक्त करती है ।

[एफ. संख्या 20 (5)/बीमा-5/83]

(Department of Economic Affairs)

(Insurance Division)

New Delhi, the 21st December, 1983

S.O. 9.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act, 1956 (31 of 1956) the Central Government hereby appoints Shri H.M.S. Bhatnagar, Additional Secretary (Insurance), Department of Economic Affairs, Ministry of Finance as member of the Life Insurance Corporation of India vice Kumari Kusum Lata Mital.

[F. No. 20(5)/Ins.V/83]

नई दिल्ली, 22 दिसम्बर, 1983

का० आ० 10.—जीवन बीमा निगम अधिनियम, 1956 (1956 का 31) की धारा 4 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा सर्वश्री जी. रामानुजम और अलक घोष को, सरकारी राजपत्र में उनकी नियुक्ति की अधिसूचना की तारीख से 2 वर्ष की अवधि के लिए, भारतीय जीवन बीमा निगम का सदस्य नियुक्त करती है ।

[एफ. संख्या 124 (4)-इंश्योरेंस-4/80]

राम बेहरा, उप सचिव

New Delhi, the 22nd December, 1983

S.O. 10.—In exercise of the powers conferred by Section 4 of the Life Insurance Corporation Act, 1956 (31 of 1956) the Central Government hereby appoints S/Shri G. Ramanujam and Alak Ghosh as Members of the Life Insurance Corporation of India for a period of 2 years with effect from the date of notification of their appointments in the official gazette.

[F. No. 124(4) Ins.IV/80]

RAAM BEHRA, Dy. Secy.

(बैंकिंग प्रभाग)

नई दिल्ली, 22 दिसम्बर, 1983

का० आ० 11.—राष्ट्रीयकृत बैंक (प्रबंध प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पंक्ति खंड 3 के उपखंड (क) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री एच० एन० राय को 22 दिसम्बर, 1983 से आरम्भ

होने वाली ओर 25 फरवरी, 1984 को समाप्त होने वाली अवधि के लिए सिंडिकेट बैंक के प्रबंध निदेशक के रूप में नियुक्त करती है।

[संख्या एफ० 9/32/83-बी० ओ०-1(1)]

(Banking Division)

New Delhi, the 22nd December, 1983

S.O. 11.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri H.N. Rao, as the Managing Director of the Syndicate Bank for a period commencing on December 22, 1983 and ending with February 25, 1984.

[No. F. 9/32/83-BO.I(1)]

क०आ० 12.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण) स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् 22 दिसम्बर, 1983 से आरम्भ होने वाली तथा 4 सितम्बर, 1986 को समाप्त होने वाली अवधि के लिए, एतद्वारा श्री ए० कृष्णा राव को सिंडिकेट बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में नदनामित) के रूप में नियुक्त करती है।

[संख्या एफ० 9/23/83-बी०ओ०-1]

S.O. 12.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government after consultation with the Reserve Bank of India, hereby appoints Shri A. Krishna Rao as a whole-time Director (designated as the Executive Director) of the Syndicate Bank for the period commencing on 22nd December, 1983 and ending with 4th September, 1986.

[No. F. 9/23/83-BO.I]

क० आ० 13.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण) अवधि स्कीम, 1970 के खण्ड 7 के साथ पठित खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् श्री एच०एन० राव को, जिन्हें 22 दिसम्बर, 1983 से सिंडिकेट बैंक के प्रबंध निदेशक के रूप में नियुक्त किया गया है, उसी तारीख से सिंडिकेट बैंक के निदेशक बोर्ड के अध्यक्ष के रूप में नियुक्त करती है।

[संख्या एफ० 9/32/83-बी०ओ०-1 (2)]

च० वा० मीरचन्दानी, उप सचिव

S.O. 13.—In pursuance of sub-clause (1) of clause 5, read with clause 7 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri H.N. Rao, who has been appointed as Managing Director of the Syndicate Bank with effect from December 22, 1983 to be the Chairman of the Board of Directors of the Syndicate Bank with effect from the same date.

[No. F. 9/23/83-B.O.I(2)]

C. W. MIRCHANDANI, Dy. Secy.

## क्षेत्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 22 दिसम्बर, 1983

आयकर

क० आ० 14.—बोर्ड की दिनांक 3-11-83 की अधिसूचना संख्या (फा०सं० 261/17/83-आ०क०न्या० में अपीलीय सहायक आयकर आयुक्त के क्षेत्राधिकार के सामने कालम 3 में निम्नलिखित जोड़ा जाए :

कालम 3

संख्या 12 भवैक्षण परिमंडल, कुरुनूल

यह अधिसूचना दिनांक 1-9-1983 से लागू होगी।

[संख्या 5443 (फा०सं० 261/17/83-आ०क०न्या०)]

## CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 22nd December, 1983

(INCOME-TAX)

S.O. 14.—In Board's Notification No. 5442 dated 3-11-83 (F. No. 261/17/83-ITJ) in Col. 3 against the jurisdiction of the Appellate Assistant Commissioner of Income-tax, Ananthapur, the following shall be added :

Col. 3

No. 12 Survey Circle, Kurnool

This notification shall take effect from 1-9-1983.

[No. 5443 F. No. 261/17/83-ITJ]

शुद्धि पत्र

नई दिल्ली, 22 दिसम्बर, 1983

आयकर

क० आ० 15.—बोर्ड की दिनांक 1-10-1983 की अधिसूचना संख्या 5413 (फा०सं० 261/5/83 आ०क० न्या०) में, आयकर आयुक्त (अपील) कालीकट, के सामने, कालम संख्या (2) और (3) की प्रविष्टियों को नियमानुसार पुनः व्यवस्थित किया जाए :—

(1)	(2)	(3)
आयकर आयुक्त	1. II परिमंडल त्रिचुर	नि० सं० आ० त्रिचुर क्षेत्र
(अपील) कालीकट	2. II. परिमंडल, पालघाट	नि०सं०आ० त्रिचुर क्षेत्र
	3. II परिमंडल अलवेज	यथोपरि
	4. II परिमंडल I कालीकट	नि०सं०आ०कालीकट क्षेत्र
	5. II परिमंडल II कालीकट	यथोपरि
	6. II परिमंडल कल्लातोर	यथोपरि

1	2	3	1	2	3
7. II परिमंडल केसरगोड	नि०स०आ०कालीकटक्षेत्र		11. विशेष परिमण्डल	नि०स०आ०	
8. केन्द्रीय परिमंडल	नि०स०आ० (सेन्ट्रल)		एर्नाकुलम्	एर्नाकुलम् क्षेत्र	
कालीकट	एर्नाकुलम्				
9. केन्द्रीय परिमंडल एर्नाकुलम्	यथोपरि		यह अधिसूचना 1-9-1983 से प्रभावी होगी ।		
10. केन्द्रीय परिमंडल	यथोपरि		[सं० 5447 (फा०सं० 261/5/83-आ०क०न्या०)]		
त्रिवेन्द्रम			के० एम० मुल्तान, अवर सचिव		

## CORRIGENDUM

New Delhi, the 22nd Dec. 1983

## INCOME-TAX

S. O. 15.—In Board's notification No. 5413 (F. No. 261/5/83-ITJ) dated 1-10-83, the entries under column Nos. (2) & (3) against the Commissioner of Income-tax (Appeals), Calicut shall be re-arranged as under :

1	2	3
Commissioner of Income-tax (appeals) Calicut	1. II Circle, Trichur	IAC Trichur Range
	2. II Circle, Palghat	"
	3. II Circle, Alwaye	"
	4. II Circle-I, Calicut	IAC Calicut Range
	5. II Circle-II Calicut	"
	6. II Circle, Cannanore	"
	7. II Circle, Kasargod	"
	8. Central Circle Calicut	IAC (Central) Ernakulam
	9. Central Cir. Ernakulam	"
	10. Central Cir. Trivandrum	"
	11. Special Cir. Ernakulam	IAC Ernakulam Range

This notification shall take effect from 1-9-1983.

[No. 5447(F.No. 261/5/83-ITJ)]  
K.M.SULTAN, Under Secy.

नई दिल्ली, 21 दिसम्बर, 1983

का० आ० 16.—यतः आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड ने आय कर आयुक्त (जांच तथा सर्वेक्षण) हैदराबाद को आयकर आयुक्त, आंध्र प्रदेश-1, आंध्र प्रदेश-2 तथा विशाखापत्तनम्, के समवर्ती क्षेत्रों पर क्षेत्राधिकार प्रदत्त किए हैं, अतः केन्द्रीय प्रत्यक्ष कर बोर्ड धारा 121 की उपधारा 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा निदेश देता है कि इसके साथ संलग्न अनुसूची के स्तम्भ 1 में विनिर्दिष्ट आयकर आयुक्त, जिसका प्रधान कार्यालय उक्त अनुसूची के स्तम्भ 2 में विनिर्दिष्ट है, उक्त अनुसूची के स्तम्भ 3 में यथाउल्लिखित मामलों अथवा मामलों की श्रेणियों के संबंध में अकेले ही कार्यों का निर्वहण करेगा तथा आय कर आयुक्त, आंध्र प्रदेश-1, आंध्र प्रदेश-2 तथा विशाखापत्तनम् उक्त अनुसूची के स्तम्भ 3 में यथाउल्लिखित मामलों अथवा मामलों की श्रेणियों के संबंध में क्षेत्राधिकार का प्रयोग नहीं करेंगे। यह अधिसूचना, इस संबंध में जारी सभी पिछली अधिसूचनाओं के अधिलेखन में जारी की जाती है।

## अनुसूची

आ०क०आ० (1)	मुख्यालय (2)	क्षेत्राधिकार (3)
आयकर आयुक्त (जांच)	हैदराबाद	निम्नलिखित क्षेत्राधिकारों के अंतर्गत आने वाले सभी मामले :— (क) सर्वेक्षण परिमंडल, विशाखापत्तनम्, काकीनाडा, विजयवाड़ा, गुंटूर, नेल्लोर, तिरुपति, कुरुनूल, वारंगल तथा हैदराबाद।

1	2	3
(ख)	विशेष जांच परिमंडल-I तथा II, हैदराबाद, विशेष जांच परिमंडल, गुंटूर, फिल्म परिमंडल हैदराबाद तथा विशेष जांच परिमंडल, विशाखापत्तनम्।	
(ग)	निरीक्षी सहायक आयकर आयुक्त (निर्धारण) -I तथा II, हैदराबाद, निरीक्षी सहायक आयकर आयुक्त (कर निर्धारण), गुंटूर तथा निरीक्षी सहायक आयकर आयुक्त (कर निर्धारण), विशाखापत्तनम्।	
(घ)	कोई भी अन्य सर्वेक्षण परिमंडल जिसे आयकर आयुक्त (जांच तथा सर्वेक्षण) उसे धारा 124 (1) द्वारा प्रदत्त शक्तियों के अंतर्गत एतदुपस्थात् सृजित करे।	
(ङ)	निरीक्षी सहायक आयकर आयुक्त (सर्वेक्षण), हैदराबाद।	

यह अधिसूचना 21-11-1983 से प्रभावी होगी।

[सं० 5474 (फा०सं० 187/28/83-आ०क०(नि०-1)]

आर० के० तिवारी, अवर सचिव

New Delhi, : the 21st November, 1983

INCOME-TAX

S. O. 16:— Whereas in exercise of the powers conferred by sub-section(1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), Central Board of Direct Taxes have conferred on the Commissioner of Income-tax (Investigation and Survey), Hyderabad, jurisdiction concurrent with those of the Commissioners of Income-tax, Andhra Pradesh-I, Andhra Pradesh-II and Visakhapatnam, the Central Board of Direct Taxes, in exercise of the powers conferred by sub-section of section (121), hereby directs that the Commissioner of Income-tax specified in Col. 1 of the Schedule hereto annexed with headquarters specified in Col. 2 thereof shall alone perform functions in respect of such cases or classes of cases as are referred to in Col. 3 of the said Schedule and the Commissioners of Income-tax, Andhra Pradesh-I, Andhra Pradesh-II and Visakhapatnam, shall not exercise over the cases or classes of cases as are referred to in Col. 3 of the said Schedule. This notification is issued in supersession of all the notifications issued earlier in this behalf.

SCHEDULE

C.I.T.	Headquarters	Jurisdiction
1	2	3
Commissioner of Income-tax, (Investigator)	Hyderabad.	All cases comprised within the jurisdiction of— (a) Survey Circle, Visakhapatnam, Kakinada Vijawada, Guntur, Nellore, Tirupathi, Kurnool, Warangal and Hyderabad. (b) Special Investigation Circles-I and II, Hyderabad. Special Investigation Circle, Guntur, Film Circle, Hyderabad and Special Investigation Circle, Visakhapatnam. (c) Inspecting Assistant Commissioner of Income tax (Assessments)-I and II, Hyderabad. Inspecting Assistant Commissioner of Income-tax (Assessments), Guntur and Inspecting Assistant Commissioner of Income tax (Assessments), Visakhapatnam. (d) any other Survey Circle as may hereafter be created by the Commissioner of Income-tax (Investigation and Survey) under the powers vested in him by Section 124(1).

(e) Inspecting Assistant Commissioner of Income-tax (Survey) Hyderabad.

This notification shall come into force from 21-11-1983.

[No. 5474 : (F.No. 187/28/83-JT(AI))

R.K. TEWARI, Under Secy.  
Board of Direct Taxes

समाहर्ता केन्द्रीय उत्पाद शुल्क मंडल प्रदेश

इन्दौर, 14 दिसम्बर, 1983

अधिसूचना सं० 16/83

का० आ० 17—प्रशासनिक अधिकारी/लिखा परीक्षक/स० प्र० लेखा अधिकारी, केन्द्रीय उत्पाद शुल्क, समूह 'ख' के रूप में तदर्थ पदोन्नति के फलस्वरूप श्री आ० सेनगुप्ता, कार्यालय अधीक्षक, केन्द्रीय उत्पाद शुल्क ने दिनांक 14-11-1983 के पूर्वान्त में प्रशासनिक अधिकारी, केन्द्रीय उत्पाद शुल्क समूह 'ख', उज्जैन के पद पर कार्यभार ग्रहण कर लिया है।

[प० सं० 11(3) 10-मोप/83/6645]

CENTRAL EXCISE COLLECTORATE M.P.

Indore, the 14th December, 1983

NOTIFICATION NO. 16/83

S.O. 17.—Consequent upon his adhoc promotion as Administrative Officer/Examiner of Accounts/Assistant Chief Accounts Officer, Central Excise, Group 'B' Shri A. Sen-gupta, Office Superintendent, Central Excise has assumed charge as Administrative Officer, Central Excise Divisional Office, Ujjain on 14-11-1983 (F.N.).

[C. No. II(3)10-Con/83/6645]

इन्दौर, 19 दिसम्बर, 1983

अधिसूचना सं० 17/83

का० आ० 18—श्री एन० सी० अग्ने, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह 'ख' का दिनांक 25-11-1983 को निधन हो गया।

एन० के० धर, समाहर्ता

Indore, the 19th December, 1983

NOTIFICATION NO. 17/83

S.O. 18.—Shri N. C. Agre, Superintendent, Central Excise, Group 'B' expired on 25-11-1983.

[C. No. II(3)9-Con/83/6776]

S. K. DHARA, Collector

वाणिज्य मंत्रालय

(मुख्य निर्यातक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 29 नवम्बर, 1983

का० आ० 19—सर्वथी दाम इलेक्ट्रॉनिक्स युनिट वी 1 और डी-2-गवर्न-मेंट इंडस्ट्रियल एस्टेट, देहरादून-248001 को संलग्न सूची के अनुसार रक्षा मंत्रालय सं० ए/85365/टी सी (ए. एम.)/93, दिनांक 10-3-81 के प्रति मोटाई में 2, 5 3, 5 एम. एम. में कटे हुए ऑप्टिकल क्लैड ग्लास किस्म 610 के आयात के लिए आयात लाइसेंस सं० जी/जी/3202276, दिनांक 2-5-83 प्रदान किया गया था।

2. अब सर्वथी दाम इलेक्ट्रॉनिक्स ने उपर्युक्त आयात लाइसेंस की (दोनों प्रतियों की) अनुरोध प्रतियां जारी करने के लिए इस आश्चर्य पर

आवेदन किया है कि उक्त आयात लाइसेंस की मूल प्रति किसी सीमा शुल्क प्राधिकारी के पास पंजीकृत कराए बिना और बिस्कुल भी उपयोग किए बिना खो गई है। सर्वश्री दाम इलेक्ट्रॉनिक्स, देहरादून इस बात पर सहमत है और यह बताने देते हैं कि यदि लाइसेंस की मूल प्रति बाद में मिल जाएगी तो वह उस कार्यालय को रिफाई के लिए लौटा दी जाएगी।

3. अपने तर्कों के समर्थन में सर्वश्री दाम इलेक्ट्रॉनिक्स, देहरादून ने आयात-निर्यात क्रियाविधि हेतु-बुक 1983-84 के अध्याय-15, पैरा 35.3 में यथा अपेक्षित एक शपथ पत्र दायित्व किया है। अधोहस्ताक्षरी संतुष्ट है कि मूल आयात लाइसेंस सं० जी/जी/3202276, दिनांक 2-5-83 खो गया है और निदेश देते हैं कि उक्त लाइसेंस की अनुलिपि (दोनों प्रतियां) आवेदक को जारी की जाए। मूल आयात लाइसेंस एतद्वारा रद्द किया गया समझा जाए।

1. आयात लाइसेंस की अनुलिपि (दोनों प्रतियां) अलग से जारी की जा रही हैं।

[सि० सं०: 1/डी/रेफ/कन्ट/83-84/जी०एल०एम०]

एम० एल० भार्गव, उप-मुख्य नियंत्रक, आयात-निर्यात, कृते मुख्य नियंत्रक, आयात-निर्यात

### MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

#### ORDER

New Delhi, the 29th November, 1983

S.O. 19.—M/s. Dass Electronics, Unit D1 & D2 Govt. Industrial Estate, Dehradun-248001, was granted an import licence No. G/G/3202276 dated 2-5-83 for the import of Optical Coloured Glass Type 610 Cut to Thickness 2, 5, 3, 5 mm as per list attached against Ministry of Defence No. A/85365/TC(AS)/93 dated 10-3-81.

M/s. Dass Electronics, have now requested for issue of Duplicate Import Licence (Both Copies) of the above licence on the ground that the original import licence has been lost without being registered with the Customs authority and utilised at all. M/s. Dass Electronics, Dehradun, agrees and undertakes to return the original import licence, traced later on to this office for record.

In support of their contention, M/s. Dass Electronics, Dehradun have filed an affidavit as required in terms of para 353 of chapter XV of Handbook of import-export procedures for 1983-84. The undersigned is satisfied that original import licence No. G/G/3202276 dated 2-5-83, has been lost and directs that duplicate licence (both Copies) be issued to the applicant. The Original import licence is hereby treated as cancelled.

The duplicate licence (both copies) of the import licence is being issued separately.

[F. No. 1-D/Def/Cont/83-84/GLS]

M. L. BHARGAVA, Dy. Chief Controller of Imports & Exports for Chief Controller of Imports & Exports

#### आदेश

मद्रास, 19 नवम्बर, 1983

का० अ० 23.—सर्वश्री अलमिका मशीन वर्क्स, ग्रेट इंडस्ट्रियल कॉम्प्लेक्स, बेंगलूर रोड, होसूर-635125 को रु० 8,36,060 - का लाइसेंस संख्या पी/डी/2231965/सी/88/एम/83 वारंटी स्पेस दिनांक 29-9-1983 दिया गया था।

उपर्युक्त लाइसेंस गलत घोषणा के आधार पर प्राप्त किया गया है। इस बारे में विश्वास करने का कारण दिखाई देने से, पार्टी ने यह पृष्ठित हुए एक कारण बताओं नोटिस जारी किया गया था कि 17-11-1983 को व्यक्तिगत मुनवाई का अवसर देने के पश्चात् उनकी जारी किया गया लाइसेंस क्यों न रद्द कर दिया जाए। अपने मामले को स्पष्ट करने न तो पार्टी ने कारण बताओं नोटिस का जवाब दिया या तो व्यक्तिगत मुनवाई के लिए आया। इसलिए मैं इस बात से संतुष्ट हूँ कि उपर्युक्त लाइसेंस घोखेबाजी और गलत घोषणा के द्वारा प्राप्त किया गया है और एतद्वारा लाइसेंस को रद्द करने की एक-पक्षीय निर्णय लेता हूँ।

मैं आयात (नियंत्रण) आदेश 1955 के धारा 9 (1) (ए) के अन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री अलमिका मशीन वर्क्स, मिष्काट इंडस्ट्रियल कॉम्प्लेक्स, बेंगलूर रोड, होसूर-635125 को अप्रैल -83-मार्च-84 अवधि के लिए जारी किये गये लाइसेंस संख्या पी/डी/2231965/सी/एक्स/88/एम/वारंटी स्पेस दिनांक को एतद्वारा रद्द करता हूँ।

[संख्या आईटीसी/डीजीटीडी/109/ए.एम.84/एम-1]

सी०जी० फेरनांडीज, उप मुख्य नियंत्रक आयात तथा निर्यात

#### ORDER

Madras, 19th November, 1983

S.O. 20.—Messrs Almica Machine works, Sipcot Industrial Complex, Bangalore Road, Hosur -635125 were granted a licence No. P/D/2231965/C/XX/88/M/83/Warranty Spares dated 29-9-1983 for Rs. 8,36,060/-.

As there was reason to believe that the above import licence has been obtained by misrepresentations a show Cause Notice was issued calling upon the licence-holder as to why action should not be taken to cancel the licence giving an opportunity for a personal hearing on 17-11-1983. The party neither responded to the Show Cause Notice nor did they turn up for a personal hearing to explain their case. I am therefore satisfied that the above import licence has been obtained by misrepresentation and fraudulent means and hereby decide to cancel the licence ex-parte.

I in exercise of the powers vested on me in terms of Clause 9 (1) (a) of the Imports (Control) Order 1955 hereby cancel the import licence No. P/D/2231965/C/XX/88/M/83/Warranty Spares dated 29-9-1983 issued to M/s. Almica Machine Works, Sipcot Industrial Complex, Bangalore Road, Hosur-635125 for April 83-March 84 period.

[No. ITC/DGTG/109/A.M. 84/AU-1]

C. G. FERNANDEZ, Deputy Chief Controller Imports & Exports



## ऊर्जा मंत्रालय

## (कोयला विभाग)

नई दिल्ली, 14 दिसम्बर, 1983

कां०आ० 21 .—कोयला खान श्रम कल्याण निधि नियमावली, 1949 के नियम 3 के साथ पठित कोयला खान श्रम कल्याण निधि अधिनियम, 1947 (1947 का 32) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के भूतपूर्व श्रम मंत्रालय की अधिनियम संख्या मा०आ० 1264, दिनांक 5 अप्रैल, 1975 का अधिग्रहण करने हुए, केन्द्रीय सरकार एतद्वारा एक मलाहकार समिति का गठन करती है, जिसमें निम्नलिखित सदस्य शामिल हैं, अर्थात्:—

- |   |           |   |
|---|-----------|---|
| 1. संयुक्त सचिव, भारत सरकार,<br>ऊर्जा मंत्रालय (कोयला विभाग)  | अध्यक्ष   | केन्द्रीय सरकार द्वारा नियुक्त  |
| 2. कोयला खान श्रम कल्याण आयुक्त   | उपाध्यक्ष |   |
| 3. मुख्य खान निरीक्षक   | सदस्य     |   |
| 4. उप सचिव, पश्चिम बंगाल सरकार,<br>श्रम विभाग   | सदस्य     | पश्चिम बंगाल सरकार द्वारा नामित   |
| 5. श्रम आयुक्त, बिहार   | सदस्य     | बिहार सरकार द्वारा नामित  |
| 6. श्रम आयुक्त, मध्य प्रदेश   | सदस्य     | मध्य प्रदेश सरकार द्वारा नामित  |
| 7. निदेशक (खिणन और कामिक),<br>कोल इंडिया लि.  | सदस्य     |   |
| 8. निदेशक (कामिक), सेंट्रल कोल फील्डम लि०   | सदस्य     |   |
| 9. निदेशक (कामिक), भारत कोकिंग कोल लि०  | सदस्य     |   |
| 10. निदेशक (कामिक), वेस्टर्न कोलफील्डम लि०  | सदस्य     |   |
| 11. निदेशक (कामिक) ईस्टर्न कोलफील्डम लि०  | सदस्य     |   |
| 12. मुख्य इंजीनियर (सिविल),<br>मिहारनी कोलिथरीज कं० लि०   | सदस्य     | कोयला खानों के मालिकों का प्रतिनिधित्व करने के लिए, केन्द्रीय सरकार द्वारा नामित                  |
| 13. श्री दामोदर पांडे, संयुक्त महासचिव,<br>इंडियन नेशनल माइन वर्कर्स फेडरेशन (इंटक)<br>उत्तर : रामगढ़ कैंट (बिहार)                              | सदस्य     |   |
| 14. श्री ए०एस० भारद्वाज,<br>उपाध्यक्ष, मध्य प्रदेश राष्ट्रीय<br>कोयला खदान मजदूर संघ,<br>(इंटक) चांदाभाटा (म०प्र०)                              | सदस्य     |   |
| 15. श्री हितनारायण सिंह,<br>महासचिव, हिन्दमजदूर सभा (हि०म०स०)<br>कोरिया बन्द,<br>उत्तर : सरिया, (बिहार)   | सदस्य     |   |
| 16. श्री अनिल सरकार, सचिव,<br>बिहार कोल माइनर्स यूनियन,<br>यू०टी०यू०सी० (एल एम),<br>डिगवाडीह (धनबाद) बिहार                                      | सदस्य     | कोयला खानों में कार्यरत कामगारों के हित का प्रतिनिधित्व करने के लिए, केन्द्रीय सरकार द्वारा नामित |
| 17. डॉ० बसन्त कुमार राय,<br>संगठन सचिव, अखिल भारतीय<br>खदान मजदूर संघ (भा०ख०म०स०)<br>पायाखेड़ा (मध्य प्रदेश)                                    | सदस्य     |   |
| 18. श्री राजन मैथ्यू, सचिव,<br>कोलियरी मजदूर सभा (एंटक)<br>खादिया परियोजना,<br>मिजपुर (उ०प्र०)  | सदस्य     |   |
| 19. रिक्त   | सदस्य     |   |
| 20. श्री एच०एन० विपाठी,<br>महा प्रबंधक और अध्यक्ष,<br>इंडियन माइन मैनेजर्स एसोसिएशन,<br>भारत कोकिंग कोल लि०,<br>काडघर: नौवागढ़<br>धनबाद (बिहार) | सदस्य     | इंडियन माइन मैनेजर्स एसोसिएशन की सिफारिश पर, केन्द्रीय सरकार द्वारा नामित                         |

21. श्री आर० जवाला, महसूब नेशनल एसोसिएशन आफ कोलियरी मैनेजर्स का कोलियरी के निदेशक (जे एच) सिफारिश पर केन्द्रीय सरकार द्वारा नामित  
टाटा आयरन एंड स्टील कंपनी, लि०, (नेशनल एसोसिएशन आफ कोलियरी मैनेजर्स)  
डाकघर : जमशेदपुर, धनबाद (बिहार)

[फा० सं० डब्ल्यू 23018/7/83 सी एम डब्ल्यू ]

## MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 14th December, 1983

S.O. 21.—In exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947) read with rule 3 of the Coal Mines Labour Welfare Fund Rules, 1949 and in supersession of the notification of Government of India in the late Ministry of Labour, No. S.O. 1264, dated the 5th April, 1975 the Central Government hereby constitutes an Advisory Committee consisting of the following members, namely :—

1	2	3
1. The Joint Secretary to the Government of India, Ministry of Energy (Department of Coal)	Chairman	Appointed by the Central Government
2. The Coal Mines Labour Welfare Commissioner	Vice-Chairman	
3. The Chief Inspector of Mines	Member	
4. The Deputy Secretary to the Government of West Bengal, Labour Department	Member	Nominated by the Government of West Bengal
5. The Labour Commissioner, Bihar	Member	Nominated by the Government of Bihar
6. The Labour Commissioner, Madhya Pradesh	Member	Nominated by the Government of Madhya Pradesh
7. The Director (Marketing and Personnel), Coal India Limited	Member	Nominated by Central Government to represent owners of Coal Mines
8. The Director (Personnel), Central Coalfields Limited,	Member	
9. The Director (Personnel), Bharat Coking Coal Limited	Member	
10. The Director (Personnel), Western Coalfields Limited	Member	
11. The Director (Personnel), Eastern Coalfields Limited	Member	
12. The Chief Engineer (Civil), Singareni Collieries Company Limited	Member	
13. Shri Damodar Pandey, Joint General Secretary, Indian National Mine workers Federation (INTUC) P.O. Ramgarh Cantt. (Bihar)	Member	
14. Shri S.S. Bharadwaj, Vice President, Madhya Pradesh Rashtriya Koyala Khadan Mazdoor Sangh, (INTUC) Chandametta (M.P.)	Member	Nominated by the Central Government to represent the interest of workmen employed in Coal Mines
15. Shri Hitnarayan Singh General Secretary, Hind Mazdoor Sabha (HMS) Koria Bandh, P.O. Jharia, (Bihar)	Member	
16. Shri Anil Sarkar Secretary, Bihar Coal Miners Union UTUC (LS), Digwadih (Dhanbad) Bihar	Member	
17. Dr. Basant Kumar Rai, Organising Secretary, Akhil Bharatiya Khadan Mazdoor Sangh (BMS), Pathakhera (M.P.)	Member	
18. Shri Rajan Mathew, Secretary, Colliery Mazdoor Sabha (AITUC) Khadia Project, Mirzapur (U.P.)	Member	
19. —Vacant—	Member	
20. Shri H.N. Tripathy, General Manager and President, Indian Mine Managers' Association Bharat Coking Coal Limited P.O. Nowagarh, Dhanbad (Bihar).	Member	Nominated by the Central Government on the recommendation of Indian Mine Managers' Association.

1. Shri R. Chawla, Director of Collieries(JH), Tata Iron and Steel Company Limited, (National Member Association of Colliery Managers), P.O. Jamadoba, Dhanbad (Bihar)

Nominated by the Central Government on the recommendation of National Association of Colliery Managers

[F. No. U-23018/7/83-CMW]

नई दिल्ली, 28 दिसम्बर, 1983

का० आ० 22—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii), तारीख 24 जनवरी, 1981 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय, कोयला विभाग की अधिसूचना स का० आ० 289, तारीख 12 जनवरी 1981 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में भूमि और उसमें अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी;

और, केन्द्रीय सरकार का महाराष्ट्र सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि उक्त अनुसूची में उल्लिखित भूमि और उसमें अधिकारों में से —

(क) इसमें संलग्न उक्त अनुसूची "क" में उल्लिखित 37.07 हेक्टर (लगभग) या 91.60 एकड़ (लगभग) माप की भूमि का;

(ख) इसमें संलग्न उक्त अनुसूची "ख" में उल्लिखित 57.95 "हेक्टर" (लगभग) या 143.19 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि—

(क) इससे संलग्न उक्त अनुसूची "क" में उल्लिखित 37.07 हेक्टर (लगभग) या 91.60 एकड़ (लगभग) माप की भूमि का ;

(ख) इससे संलग्न उक्त अनुसूची "ख" में उल्लिखित 57.95 हेक्टर (लगभग) या 143.19 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, खदान, बोर करने, उनकी खुदाई करने और उन्हें तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन किया जाता है।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखाक में सी-1 (ई)/जे आर/213-102 का निर्देशन कलकत्ता, चन्द्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1 काउन्सिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में या वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) काल एस्टेट मिनिव लाइन्स, नागपुर (महाराष्ट्र) के कार्यालय में किया जा सकता है।

अनुसूची "क"

हिन्दुस्तान तालपेठ विवृत खान परियोजना

(भाग-2)

बर्धा घाटी कोयला क्षेत्र

जिला चन्द्रपुर (महाराष्ट्र)

सभी अधिकार

क्रम सं०	वन का नाम	उपखंड सं	तहसील और जिला	क्षेत्र हेक्टर में	टिप्पणियां
1	2	3	4	5	6
1.	सरकारी वन (पश्चिमी खंड)	485	चन्द्रपुर	29.92	भाग
2.	वनोन्मूलन क्षेत्र (धर्मशाला टुकुम) और वनोन्मूलन क्षेत्र		चन्द्रपुर	7.15	भाग
		कुल क्षेत्र		37.07 हेक्टर (लगभग)	
		या		91.60 एकड़ (लगभग)	

सीमावर्णन:—

द—घ—न—प—फ. रेखा नन्दागाव ग्राम और वनोन्मूलन क्षेत्र (धर्मशाला टुकुम) की भागत: सम्मिलित सीमा के साथ साथ और माना ग्राम और सरकारी वन की भागत: सम्मिलित सीमा के साथ साथ जाती है और माना ग्राम, सरकारी नजूल भूमि और वनोन्मूलन क्षेत्र की सम्मिलित सीमा पर बिन्दु "फ" पर मिलती है।

फ—य—य रेखा वनोन्मूलन क्षेत्र, सरकारी वन (उप खंड सं 485) से होकर तथा मध्य रेल और वनोन्मूलन क्षेत्र (धर्मशाला टुकुम) की भागत: सम्मिलित सीमा के साथ साथ जाती है और बिन्दु "य" पर मिलती है।

य—द रेखा वनोन्मूलन क्षेत्र (धर्मशाला टुकुम) से होकर जाती है और वनोन्मूलन क्षेत्र और नन्दागाव ग्राम की सम्मिलित सीमा पर आरंभिक बिन्दु "द" पर मिलती है।

अनुसूची ख  
हिन्दुस्तान लालपेठ विद्युत खान परियोजना  
(भाग 2)  
वर्धा बाटी कोयला क्षेत्र  
जिला चन्द्रपुर (महाराष्ट्र)

खतम अधिकार

क्रम संख्या	बन का नाम	उप-खंड सं	तहसील और जिला	क्षेत्र हेक्टर में	टिपणियां
1	2	3	4	5	6
1.	सरकारी बन (पश्चिमी खंड)	485	चन्द्रपुर	41.92	भाग
2.	मध्य रेल	—	चन्द्रपुर	14.46	भाग
3.	वनोन्मूलन	—	चन्द्रपुर	1.57	भाग
कुल क्षेत्र			57.95 हेक्टर (लगभग)		
या			143.19 एकड़ (लगभग)		

सीमा वर्णन :

क—क—ब रेखा वनोन्मूलन क्षेत्र और सरकारी नजूल भूमि की भागतः सम्मिलित सीमा के साथ-साथ और उप खंड सं 485 की भागतः उत्तरी सीमा के साथ-साथ जाती है और हिन्दुस्तान लालपेठ कोयला खान की पट्टाधून सीमा पर बिन्दु "ब" पर मिलती है।

ब—ब रेखा हिन्दुस्तान लालपेठ कोयला खान की पट्टाधून सीमा के साथ-साथ (उप खंड सं 485 से होकर) जाती है और मध्य रेल भूमि पार करती है और बिन्दु "म" पर मिलती है।

भ—भ रेखा मध्य रेल भूमि और हिन्दुस्तान लालपेठ कोयला खान के पट्टाधून क्षेत्र की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु "म" पर मिलती है।

म—य रेखा मध्य रेल भूमि पार करती है और बिन्दु "य" पर मिलती है।

य—या—क रेखा वनोन्मूलन क्षेत्र (धमेशाला टुकुम) से होकर मध्य रेल भूमि की पश्चिम सीमा के साथ-साथ जाती जाती है, फिर उप-खंड सं 485 से सरकारी बन से होकर पुनः वनोन्मूलन क्षेत्र से होकर आगे जाती है और आरम्भिक बिन्दु "क" पर मिलती है।

[सं० 19/61/81 सी०एल०]

समय सिंह, अवर सचिव

New Delhi, the 28th December, 1983

**S.O. 22.**—Whereas by the notification of the Government of India in the Ministry of Energy, Department of Coal No. S.O. 289 dated the 12th January, 1981, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India dated the 24th January, 1981, the Central Government gave notice of its intention to acquire land and rights in the locality specified in the Schedule appended to that notification

And whereas no objection was made to the acquisition of lands and rights in the locality aforesaid;

And whereas the Central Government after consulting the Government of Maharashtra is satisfied that out of the land and rights described in the said schedule,—

(a) the lands measuring 37.7 hectares (approximately) or 91.60 acres (approximately) described in Schedule 'A' appended hereto

(b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 57.95 hectares; (approximately) or 143.19 acres (approximately) described in Schedule 'B' appended hereto,—

should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby declares that,—

(a) the lands measuring 37.07 hectares (approximately) or 91.60 acres (approximately) described in the said Schedule 'A'; and

(b) the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 57.95 hectares (approximately) or 143.19 acres (approximately) described in the said Schedule 'B';—

are hereby acquired.

The plan No. C-1(F)/JR/213-102 of the area covered by this notification may be inspected in the Office of the Collector, Chandrapur (Maharashtra) or in the Office of the Coal Controller, I, Council House Street, Calcutta or in the Office of the Western Coalfields Limited (Revenue Section), Coal Estate, Civil Lines, Nagpur (Maharashtra).

**SCHEDULE 'A'**  
**HINDUSTAN LALPETH OPENCAST PROJECT**  
**(PART-II)**  
**WARDHA VALLEY COALFIELD**  
**DISTRICT CHANDRAPUR (MAHARASHTRA)**

**All Rights**

Sl. No.	Name of forest	Compartment No.	Tehsil & District	Area in hectares	Remarks
1.	Government Forest (Western Division)	485	Chandrapur	29.92	Part
2.	Deforested Area (Dharamshala Tukum) and deforested area.	—	„	7.15	Part
Total Area :				37.07 hectares (approximately)	
OR				91.60 acres (approximately)	

**Boundary Description :**

R-S-T-U-V-	Line passes partly along the common boundary of village Nandgaon and deforested area (Dharamshala Tukum) and partly along the common boundary of village Mana and Government forest and meets on the common boundary of village Mana, Government Nazul land and deforested area at point 'V'.
V-ZI-Z	Line passes through deforested area, Government forest (Compartment No. 485) and partly along the common boundary of Central Railway and deforested area (Dharamshala Tukum) and meets at point 'Z'.
Z-R	Line passes through deforested area (Dharamshala Tukum) and meets on the common boundary of deforested area and village Nandgaon at the starting point 'R'.

**SCHEDULE 'B'**  
**HINDUSTAN LALPETH OPENCAST PROJECT**  
**(PART-II)**  
**WARDHA VALLEY COALFIELD**  
**DISTRICT CHANDRAPUR (MAHARASHTRA)**

**Mining Rights**

Sl. No.	Name of forest	Compartment No.	Tehsil and District	Area in hectares	Remarks
1.	Government Forest (Western Division)	485	Chandrapur	41.92	Part
2.	Central Railway	—	„	14.46	Part
3.	Deforested Area	—	„	1.57	Part
Total Area :				17.95 hectares (approximately)	
OR				143.19 acres (approximately)	

**Boundary description :**

V-A-W	Line passes partly along the common boundary of deforested area and Government Nazul land and partly along the northern boundary of Compartment No. 485 and meets on the lease-hold boundary of Hindustan Lalpeth Colliery at point 'W'.
W-X	Line passes along the lease-hold boundary of Hindustan Lalpeth Colliery (through Compartment No. 485) crosses Central Railway land and meets at point 'X'.
X-Y	Line passes along the common boundary of Central Railway land and lease-hold area of Hindustan Lalpeth Colliery and meets at point 'Y'.
Y-Z	Line crosses the Central Railway land and meets at point 'Z'.
Z-Z <sub>1</sub> -V	Line passes through the deforested area (Dharamshala Tukum) along the western boundary of Central Railway land then proceeds through Government forest in Compartment No. 485 again through deforested area and meets at the starting point 'V'.

खाद्य एवं सार्वजनिक पूर्ति मंत्रालय  
(खाद्य विभाग)

नई दिल्ली, 22 दिसम्बर, 1983

का० आ० 27.—राष्ट्रपति, मूल नियमों के नियम 45 के अनुसरण में, राष्ट्रीय चीनी संस्थान (निवास स्थानों का आवंटन) नियम, 1965 का, जिसे भारत सरकार के भूतपूर्व खाद्य और कृषि मंत्रालय (खाद्य विभाग) की अधिसूचना सं० का० आ० 3353, तारीख 16 फरवरी, 1965 द्वारा अनुपूर्वक नियमों में प्रभाग 28-क के रूप में अनुस्थापित किया गया था, और संशोधन करने के लिए निम्नलिखित नियम बताते हैं, अधोलिखित:—

1. (1) इन नियमों का संक्षिप्त नाम राष्ट्रीय चीनी संस्थान (निवास स्थानों का आवंटन) संशोधन नियम, 1983 हो।
- (2) ये राजपत्र में प्रकाशित की तारीख को प्रवृत्त होंगे।
2. राष्ट्रीय चीनी संस्थान (निवास स्थानों का आवंटन) नियम, 1965 में, परिशिष्ट में, "कारखाना" शीर्ष के नीचे की विद्यमान प्रविष्टियों के पश्चात् निम्नलिखित अंतर्स्थापित किया जाएगा, अधोलिखित:—

"17. कनिष्ठ इंजीनियर (विद्युत)

"18. कारखाना फोरमैन।"

[सं० डी. 11028/1/82/चीनी डेस्क-1]

एन० थायगराजन, अपर सचिव

भाव टिप्पण:—मूल नियम, भारत के राजपत्र, तारीख 30 फरवरी, 1965 में प्रकाशित का० आ० 3353, तारीख 16 फरवरी, 1965 द्वारा प्रकाशित किए गए थे और उनमें भारत के राजपत्र तारीख 5 फरवरी 1977 में प्रकाशित का० आ० 443 तारीख 17 जनवरी, 1977, और भारत के राजपत्र 8 दिसम्बर 1979 में प्रकाशित का० आ० सं० 3986, तारीख 23 नवम्बर, 1979 द्वारा संशोधन किए गए।

(सार्वजनिक पूर्ति विभाग)

भारतीय मानक संस्था

नई दिल्ली, 83-12-15

का० आ० 24.—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणित चिह्न) विनियम, 1955 के विनियम 14 के उपविनियम 4 के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि लाइसेंस संख्या 1135836 जिसके ध्योरे नीचे अनुसूची में दिए गए हैं लाइसेंसधारी के अनुरोध पर 83-10-16 से रद्द कर दिया गया है:

अनुसूची

क्रम सं०	लाइसेंस संख्या और तिथि	लाइसेंसधारी का नाम और पता	रद्द किए गए लाइसेंस के अधीन वस्तु/प्रक्रिया	तत्संबंधी भारतीय मानक
1.	सी एम/एल-1135836 82-11-30	मैसर्स सिल्वर फ्लेम एल्युमिनियम, जेड से० 3, ए-3, दिवागढ़ गार्डन, जी टी रोड, शाहदरा, दिल्ली-110032 दस्ता कार्यालय 383-सी/1, पूर्वी आजाद नगर, निकट कुष्णा नगर, दिल्ली-110051 में है।	द्रवित पेट्रोलियम गैसों के उपयोग के लिए दो बर्तन वाले घरेलू गैस चूल्हे, मॉडल 54 और 77 निर्धार/बंटा	IS : 4246-1978 द्रवित पेट्रो- लियम गैसों के साथ उपयोग के लिए दो बर्तन वाले घरेलू गैस चूल्हे की विशिष्टि (दूसरा पुनरीक्षण)

[सी०एम०डी०/55:1135836]

ए.एम० बी०, अपर महानिदेशक  
सावर्स

MINISTRY OF FOOD & CIVIL SUPPLIES

(Department of Food)

New Delhi, the 22nd December, 1983

S.O. 23.—In pursuance of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the National Sugar Institute (Allotment of Residence) Rules, 1965, inserted as Division XXVI-V in the Supplementary Rules, under the notification of the Government of India in the late Ministry of Food and Agriculture (Department of Food), No. S.O. 3353, dated the 16th February, 1965, namely:—

1. (i) These rules may be called the National Sugar Institute (Allotment of Residence) Amendment Rules, 1983.

(ii) They shall come into force on the date of their publication in the official gazette.

2. In the National Sugar Institute (Allotment of Residence) Rules, 1965, in the appendix, after the existing entries under the head "Factory" the following shall be inserted, namely:—

"17. Junior Engineer (Electrical)

18. Factory Foreman."

[No. D. 11028/1/82-Sugar Desk-I]

N. THYAGARAJAN, Under Secy.

FOOT NOTE :

The principle rules were published vide S.O. 3353 dated the 16th February, 1965 published in Gazette of India dated 30th February, 1965 and amended vide S.O. 443 dated 17th January, 1977 published in the Gazette of India dated 5th February, 1977 and S.O. 3986 dated 23rd November, 1979 published in the Gazette of India dated the 8th December, 1979.

(Department of Civil Supplies)  
INDIAN STANDARDS INSTITUTION  
New Delhi 53, 12, 15-23

S.O. 24.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulation 1955 as amended from time to time, the Indian Standards Institution hereby notifies that licence No. 1135836 particulars of which are given below has been cancelled with effect from 83-10-16 at the request of the licensee.

## SCHEDULE

Sl. No. Licence no & Date	Name and address of the licensee	Article/Process covered by the licence cancelled	Relevant Indian Standards
1. CM/L-1135836 82-11-30	M/s silver Flame Appliances Shed No. 3, Dilshad Garden, G.T. Road, Shadara, Delhi-110032 having their office at 383-C/1 East Azad Nagar 64 and 771 h Near Krishan Nagar Delhi-110051.	Domestic Gas Stove for use with liquified petroleum gases with double burners Ratings	IS : 4246-1978 Specification for domestic gasstoves for use with liquified petroleum gases Second revision)

[CMD/55: 1135836]

A S. CHEEMA

Additional Director General, Marks

## सूचना और प्रसारण मंत्रालय

नई दिल्ली, 17 दिसम्बर, 1983

का०आ० 25.—चर्चित्र (प्रमाणन) विभाग, 1983 के नियमों के साथ पटिन चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उपधारा (2) द्वारा प्रदत्त अधिकारों का प्रयोग करने हेतु, केन्द्रीय सरकार, केन्द्रीय सूचना सेवा के अधिनियम 1983 के अधिनियम 5-12-1983 के अधिनियम से शर्तों के अधिनियम पर आधारित सरकार के अवर सचिव का है, अवर प्रादेशिक सचिवों, केन्द्रीय फिल्म प्रमाणन बोर्ड, बम्बई के पद पर प्रतिनियुक्ति आधार पर स्थापनापत्र का से नियुक्त करती है।

[फाइल नं० 802/45/80-एफ (सी)]

के० एम० वेंकटरामन, अवर सचिव

## MINISTRY OF INFORMATION &amp; BROADCASTING

New Delhi, the 17th December, 1983

S.O. 25.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act 1952 (37 of 1952) read with rule 9 of the Cinematograph (Certification) Rules 1983, the Central Government is pleased to appoint Shri K. K. Aenihouri, an officer of the Central Information Service to officiate as Additional Regional Officer in the Central Board of Film Certification, Bombay, on deputation basis, on pay as for Under Secretary to the Government of India, with effect from 5-12-1983 (F.N.) until further orders.

[File No. 802/45/80-F(C)]

K. S. VENKATARAMAN, Under Secy.

## संस्कृति विभाग

(भारतीय पुरातत्व सर्वेक्षण)

नई दिल्ली, 21 दिसम्बर, 1983

(पुरातत्व)

का०आ० 26.—केन्द्रीय सरकार यह राय है कि इसने उपावृद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व के हैं अतः केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्त्वोद्यम स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त अधिकारों का प्रयोग करने हेतु, उक्त प्राचीन संस्मारक इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से राष्ट्रीय महत्व का घोषित करने के अपने आदेश की दो भाग की सूचना देती है।

केन्द्रीय सरकार, दो भाग की अवधि के भीतर उक्त प्राचीन संस्मारकों में हितवृद्ध किसी भी व्यक्ति में प्राप्त किसी आक्षेप पर विचार करेगी।

## अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले सर्वेक्षण प्लॉट संख्या
1	2	3	4	5	6
संघ राज्य क्षेत्र		विचालिम	अबालिम	नोचे दिगु गण स्थल रेखांक में दर्शित अबालिम की गुफाएं और सर्वेक्षण प्लॉट सं० 27 के भाग और सर्वेक्षण प्लॉट सं० 38, 40, 41 में समाविष्ट उनके पार्श्वस्थ क्षेत्र और अबालिम ग्राम का नाला सर्वेक्षण प्लॉट सं० 142, 143, 144 और मोलिगम ग्राम का नाला, सर्वेक्षण प्लॉट सं० 2, 5 का भाग और सर्वेक्षण प्लॉट सं० 3 और कुहनेम ग्राम का नाला	नोचे दिगु गण स्थल रेखांक में दर्शित ग्राम अबालिम के सर्वेक्षण प्लॉट सं० 27 का भाग और सर्वेक्षण प्लॉट सं० 38, 40, 41 और नाला, ग्राम मोलिगम में सर्वेक्षण प्लॉट सं० 142, 143, 144 और नाला, सर्वेक्षण प्लॉट सं० 2, 5 का भाग और सर्वेक्षण प्लॉट सं० 3 और ग्राम कुहनेम का नाला

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणी
7	8	9	10
77.55 हेक्टेयर	<p>उत्तर: सड़क</p> <p>पूर्व: अखालेम ग्राम के सर्वेक्षण प्लॉट सं० 27 का शेष भाग, ताला, कुहनेम ग्राम के सर्वेक्षण प्लॉट सं० 1 और 6 तथा सर्वेक्षण प्लॉट सं० 2 का शेष भाग।</p> <p>दक्षिण: कुहनेम ग्राम के सर्वेक्षण प्लॉट सं० 4 और 5 तथा मोर्निगम ग्राम का सर्वेक्षण प्लॉट सं० 145।</p> <p>पश्चिम: मोर्निगम ग्राम के सर्वेक्षण प्लॉट सं० 140 और 141 तथा अखालेम ग्राम का सर्वेक्षण प्लॉट सं० 39।</p>	प्राइवेट	—





## DEPARTMENT OF CULTURE

Archaeological Survey of India

New Delhi, the 24th December, 1983

## (ARCHAEOLOGY)

S.O. 26.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule annexed hereto is of national importance;

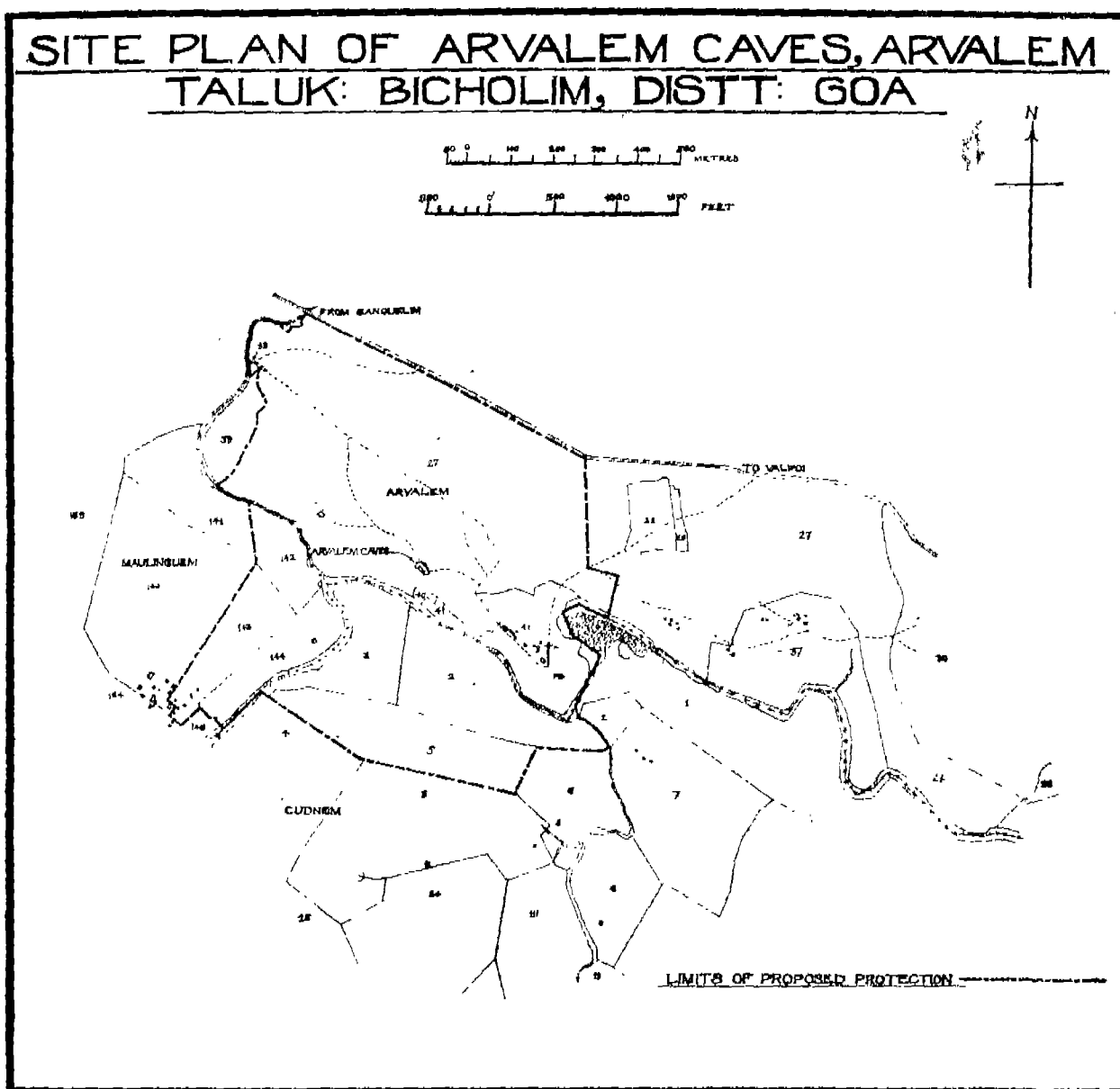
Now, therefor, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Site and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said ancient monument to be of national importance from the date of publication of this notification in the Official Gazette.

Any objection which may be received from any person interested in the said ancient monument within a period of two months will be taken into consideration by the Central Government.

## SCHEDULE

State/Union Territory	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be included under protection
1	2	3	4	5	6
Union Territory	Goa	Bicholim	Arvalem	Caves at Arvalem together with adjacent area comprised in part of survey plot number 27 and survey plot numbers 38, 40, 41 and Nalla in village Arvalem; survey plot numbers 142, 143, 144 and Nalla in village Maulinguem; part of survey plot numbers 2, 5 and survey plot number 3 and Nalla in Cudnem village as shown in site plan reproduced below.	Part of survey plot number 27 and survey plot numbers 38, 40, 41 and Nalla in village Arvalem; Survey plot numbers 142, 143, 144 and Nalla in village Maulinguem; Part of survey plot numbers 2, 5 and survey plot number 3 and Nalla in village Cudnem as shown in the site plan reproduced below.

Area	Boundaries	Ownership	Remarks
7	8	9	10
75.55 Hectares	North—Road East—Remaining portion of survey plot No. 27 of Arvalem village, Nalla, survey plot Nos.1 and 6 and remaining portion of survey plot No.2 of Cudnem village. South—Survey plot Nos.4 and 5 of Cudnem village and Survey plot No.145 of Maulinguem village. West—Survey plot Nos.140 and 141 of Maulinguem village and survey plot No. 39 of Arvalem village.	Private	Nil



[No. 2/17/78-M]

(पुरातत्व)

का०आ० 27.—केन्द्रीय सरकार की यह राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक महत्व के हैं, अतः, अब, केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से उक्त प्राचीन संस्मारकों को राष्ट्रीय महत्व का घोषित करने के अपने आशय की दो मास की सूचना देती है,

ऐसे आक्षेप पर, जो इस प्रकार विनिर्दिष्ट दो मास की अवधि के भीतर उक्त प्राचीन संस्मारकों में वृद्धि किसी व्यक्ति से प्राप्त होगा, केन्द्रीय सरकार विचार करेगी।

अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले राजस्व प्लॉट संख्यांक
1	2	3	4	5	6
कर्नाटक	बेल्लारी	सिरुगुप्पा	उदेगोलाम गांव	दो अशोकन शैल राज घोषणाएं और उससे लगी हुई भूमि जो सर्वेक्षण प्लॉट सं० 181, 187 और 189 में समाविष्ट हैं।	सर्वेक्षण प्लॉट सं० 181, 187 और 189

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
7	8	9	10
13.30 हेक्टर	उत्तर : सर्वेक्षण प्लॉट सं० 180, 188, 190 और 191 पूर्व : सर्वेक्षण प्लॉट सं० 197 दक्षिण : सर्वेक्षण प्लॉट सं० 182, 183, 184 और 185 पश्चिम : सर्वेक्षण प्लॉट सं० 177 (नाला)	प्राइवेट	कुछ नहीं

[सं० 2/14/82-संस्मारक]

S.O. 27.—Whereas the Central Government is of the opinion that the ancient monument specified in the Schedule annexed hereto are of national importance;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two months' notice of its intention to declare the said ancient monuments to be of national importance from the date of publication of this notification in the Official Gazette;

Any objection which may be received from any person interested in the said ancient monuments within a period of two months so specified will be considered by the Central Government.

## SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be included under portection
1	2	3	4	5	6
Karnataka	Bellary	Siruguppa	Udegolam Village	Two Ashokan Rock Edicts along with adjoining land comprised in survey plot Nos. 181, 187 and 189.	Survey plot Nos. 181, 187 and 189
Area	Boundaries		Ownership		Remarks
7	8		9		10
13.30 Hectares	North—Survey plot Nos. 180, 188, 190 and 191. East.—Survey plot No. 197. South.—Survey plot Nos. 182, 183, 184 and 185. West.—Survey plot No. 177 (Nala)		Private		Nil

[No. 2/14/82-M]

## (पुरातत्व)

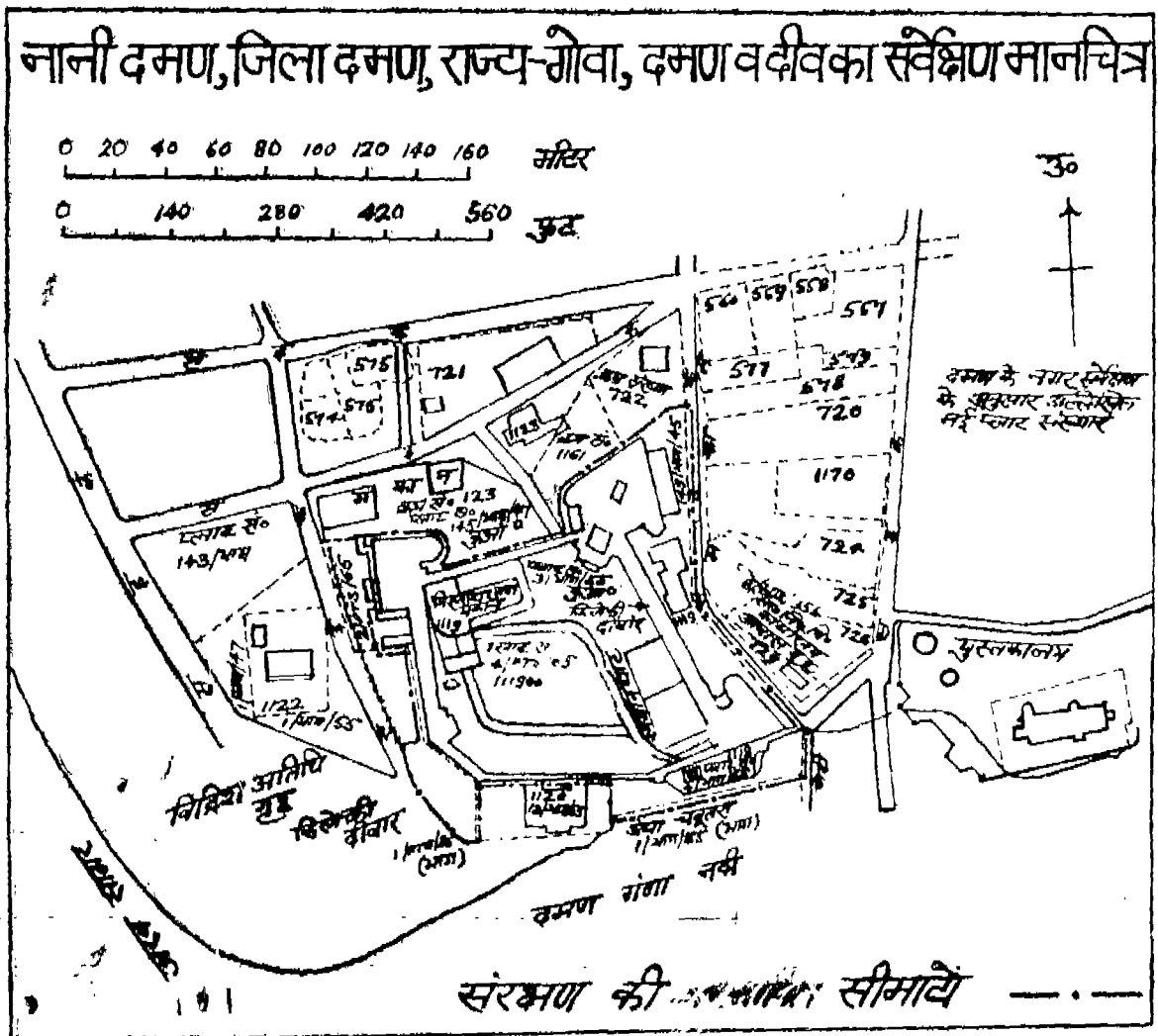
का०आ० 28.—केन्द्रीय सरकार ने, भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 26 मार्च, 1983 के पृष्ठ 1654 पर प्रकाशित भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना का०आ०सं० 1677, तारीख 10 मार्च, 1983 द्वारा नीचे की अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आशय का दो मास की सूचना दी थी और प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) को अपेक्षानुसार उक्त अधिसूचना की एक प्रति उक्त प्राचीन संस्मारक के पास एक सहज दृश्य स्थान पर चिपका दी थी, और उक्त अधिसूचना की प्रतिया 5-4-1983 को जनता को उपलब्ध करा दी गई थी :  
और जनता में प्राप्त आशेष पर केन्द्रीय सरकार ने विचार कर लिया है :

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उभावद्ध अनुसूची में विनिर्दिष्ट उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करती है।

## अनुसूची

संघ राज्य क्षेत्र	जिला	तहसील	अवस्थान	प्राचीन संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले राजस्व प्लॉट संख्याएं
1	2	3	4	5	6
गोवा, दमन और दीव	दमन	नानी दमण	दमण	नीचे दिए गए स्थल रेखांक में यथा दर्शित सर्वेक्षण सं० 4/पी टी एस/55 और 149/पी टी एस/47 में	नीचे दिए गए स्थल रेखांक में यथा दर्शित सर्वेक्षण प्लॉट सं० 4/पी टी एस/55 और 149/पी टी

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
7	8	9	10
1. 523 हेक्टर	<p>उत्तर: सर्वेक्षण प्लॉट सं० 145/पी टी एस/47</p> <p>पूर्व: सड़क और सर्वेक्षण प्लॉट सं० 4/पी टी एस/55</p> <p>(पुराने सर्वेक्षण सं० 1119) और 6 पी टी एस के शेष भाग।</p> <p>दक्षिण: सर्वेक्षण प्लॉट सं० 13/पी टी एस/55 और दमन गंगा नदी।</p> <p>पश्चिम: सर्वेक्षण प्लॉट सं० 2/पी टी एस/55</p>	सरकार	<p>किले की दीवारों के भीतर गिरजाघर, घर, कब्रिस्तान और किले की दीवारों पर बाहर लोक निर्माण विभाग का कार्यालय और निवास स्थान संरक्षण में नहीं है।</p>



## (ARCHAEOLOGY)

S.O. 28.—Whereas by the notification of the Government of India, Department of Culture (Archaeological Survey of India) S.O.No.1677, dated the 10th March, 1983, published in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 26th March, 1983 at page 1654, the Central Government gave two months' notice of its intention to declare the ancient monument specified in the Schedule below to be of national importance, and a copy of the said notification was affixed in a conspicuous place near the said ancient monument, as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

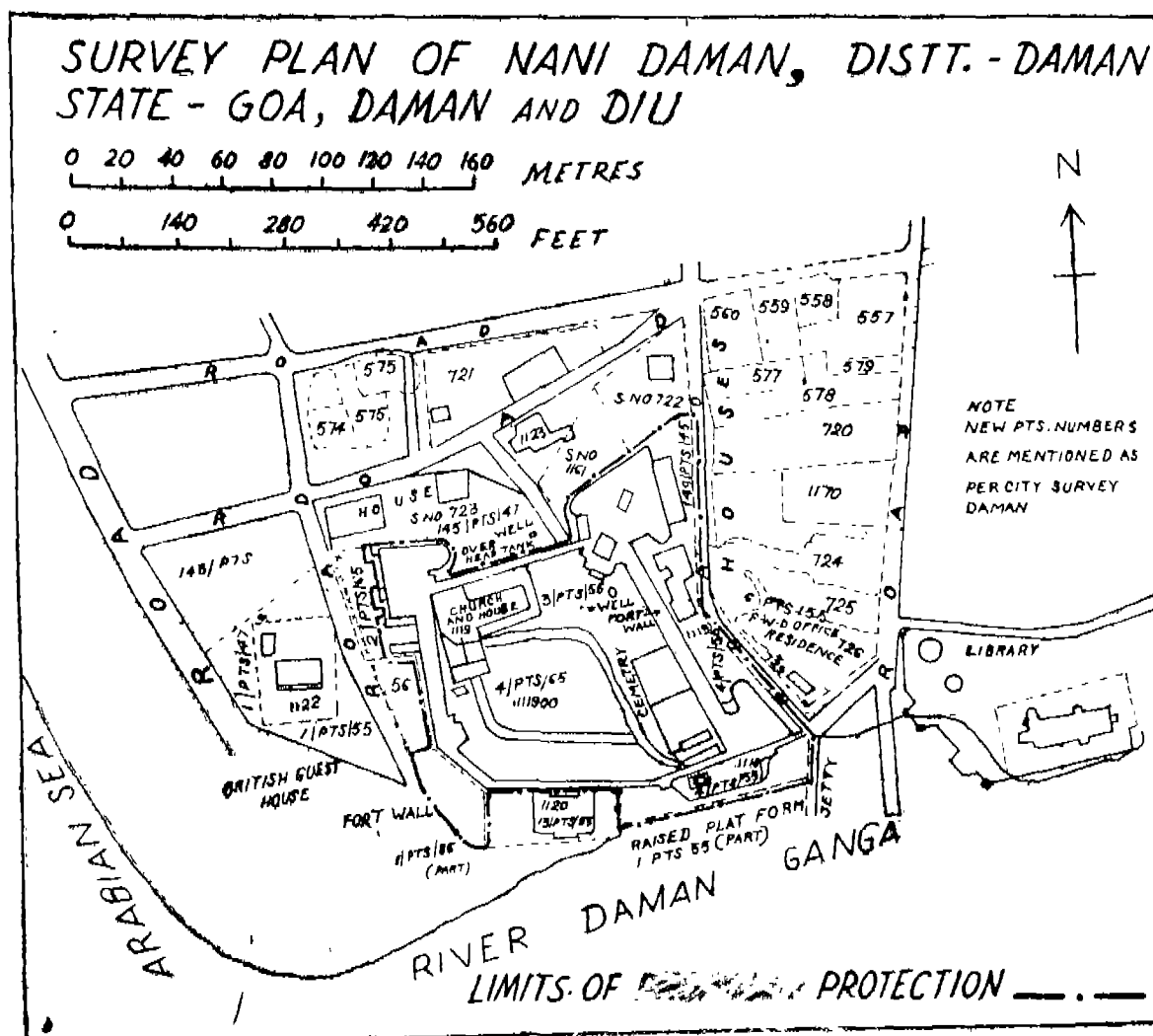
And whereas the copies of the said notification were made available to the public on the 5-4-1983;

And whereas objection received from the public has been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the said ancient monument specified in the Schedule hereto annexed to be of national importance.

## SCHEDULE

Union Territory	District	Tehsil	Locality	Name of ancient monument	Revenue plot numbers included under portection
1	2	3	4	5	6
Goa, Daman & Diu	Daman	Nani Daman	North bank of river Daman Ganga	Fort walls together with area comprised in survey nos. 4/PTS/55 and 149/PTS/47 and part of survey Nos. 1/PTS/55 (old survey Nos. 339, 520, 866, 896, 1118 and 1119) as shown in the site plan reproduced below.	Survey plot Nos.4/PTS/55 and 149/PTS/47 and parts of survey plot Nos. 6/PTS/55 (old survey Nos. 339, 520, 866, 896, 1118 and 1119) as shown in the site plan reproduced below.
Area	Boundaries	Ownership		Remarks	
7	8	9		10	
1.523 Hectares	North—Survey plot No.145/PTS/47. East—Road and remaining portion of survey plot Nos.4/PTS/55 (old survey No.1119) and 6/PTS/55. South—Survey plot No.13/PTS/55 and river daman Ganga. West—Survey Plot no. 2/PTS/55.	Government		Church, house, cemetery inside the fort walls and the P.W.D. office and residence outside the fort wall are excluded from protection.	



## (पुरातत्व)

का०आ० 29.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक राष्ट्रीय महत्व के हैं,

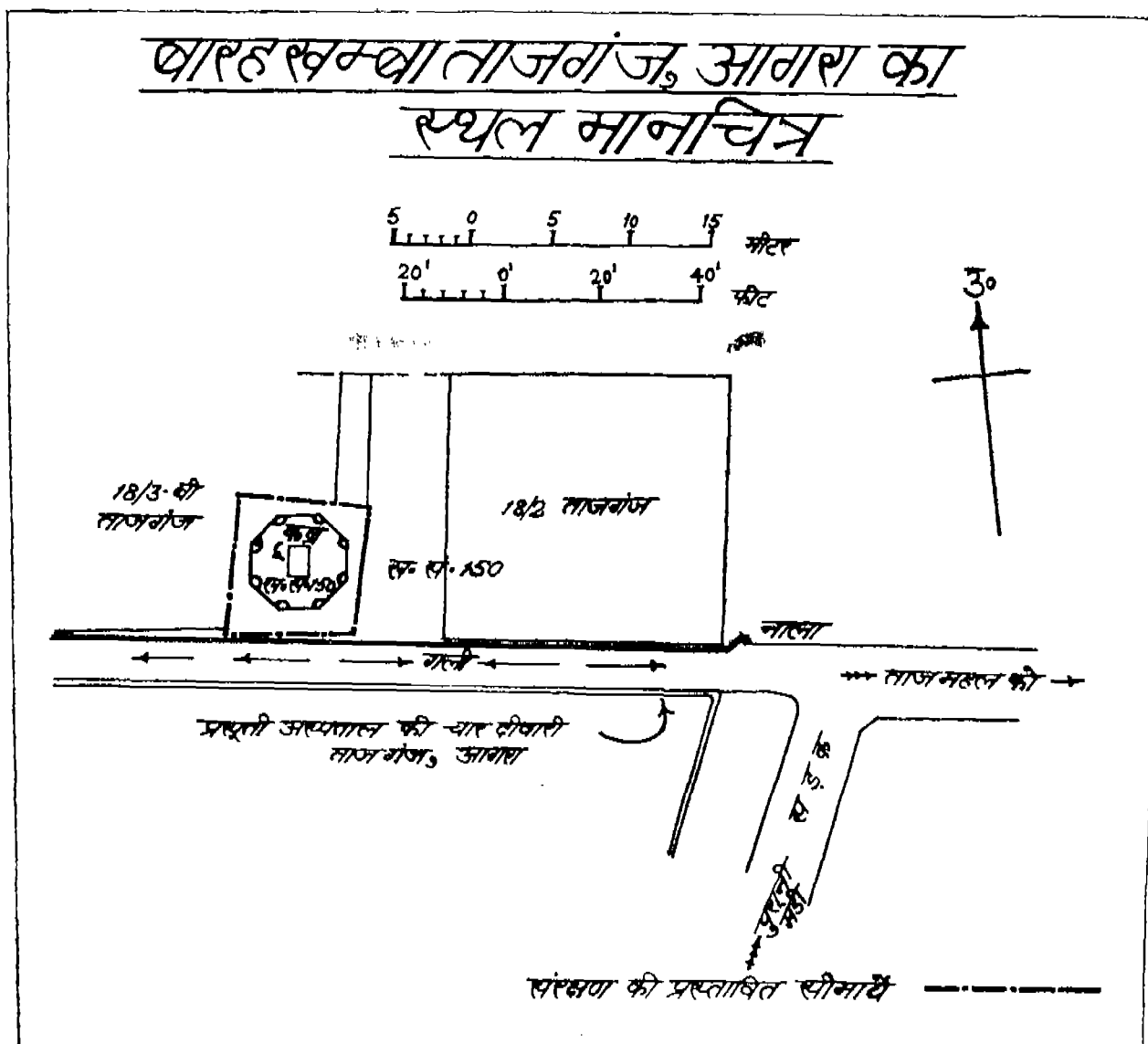
अतः केन्द्रीय सरकार, प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आणय की दो मास की सूचना देती है।

केन्द्रीय सरकार, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से दो मास की अवधि के भीतर उक्त प्राचीन संस्मारकों में हितबद्ध किसी भी व्यक्ति से प्राप्त किसी आक्षेप पर विचार करेगी।

## अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने वाले राजस्व प्लॉट सं०
1	2	3	4	5	6
उत्तर प्रदेश	आगरा	आगरा	ताजगंज आगरा नगर	सर्वेक्षण प्लॉट सं० 150 में समाविष्ट पार्श्वस्थ क्षेत्र के साथ बारह खंभा क्षेत्र जैसा कि नीचे पुनः प्रस्तुत स्थल रेखांक में दर्शाया गया है।	सर्वेक्षण प्लॉट सं० 150 का भाग जैसा कि पुनः प्रस्तुत स्थल रेखांक में दर्शाया गया है।

क्षेत्र	सीमाएं	स्वामित्व	टिप्पण
7	8	9	10
73 वर्गमीटर	उत्तर : गृह सं० 18/3.8 और सर्वेक्षण प्लॉट सं० 150 का शेष भाग पूर्व : सर्वेक्षण प्लॉट सं० 150 का शेष भाग दक्षिण : मार्ग पश्चिम : सर्वेक्षण प्लॉट सं० 150 का शेष भाग	राज्य सरकार	धार्मिक उपयोग में नहीं है



[सं० 2/2/75-संस्मारक]

## ARCHAEOLOGY

S.O. 29.—Whereas the Central Government is of the opinion that the ancient monuments specified in the Schedule annexed hereto is of national importance:

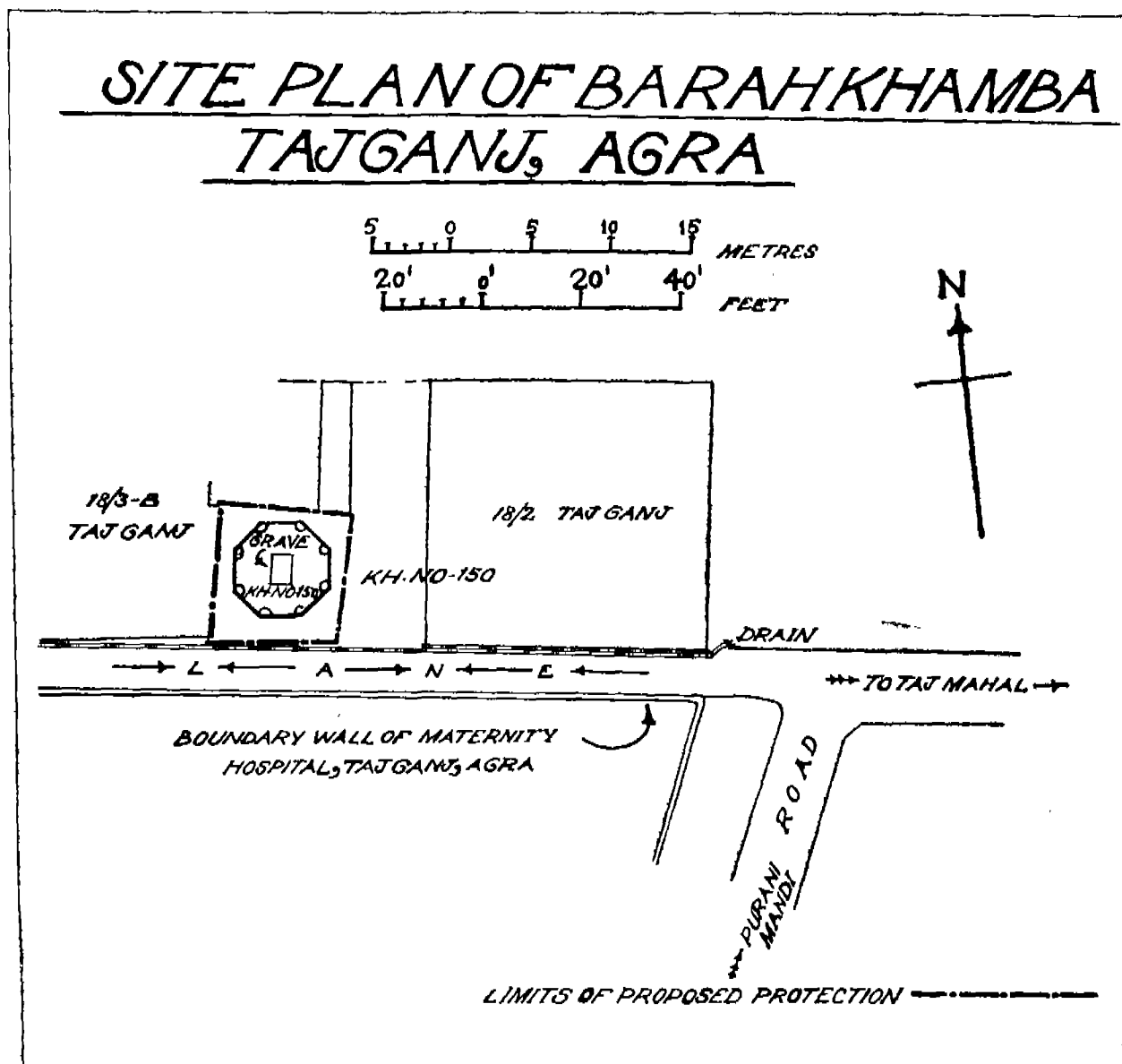
Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives two month's notice of its intention to declare the said ancient monuments to be of national importance :

Any objection which may be received within a period of two months from the date of publication of this notification in the Official Gazette from any person interested in the said ancient monuments will be taken into consideration by the Central Government.

## SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers to be included under protection
1	2	3	4	5	6
Uttar Pradesh	Agra	Agra	Taj Ganj	Barah Khamba together with adjoining area comprised in part of survey plot No. 150 as shown in the site plan reproduced below.	Part of survey plot No.150 as shown in the site plan reproduced below.

Area	Boundaries	Ownership	Remarks
7	8	9	10
73 Sq. metres.	North.—House No. 18/3-8 and remaining portion of survey plot No.150. East.—Remaining portion of Survey plot No.150. South.—Street West.—Remaining portion of survey plot No.150.	State Government	Not in religious use



[No. 2/21/75-M]

(पुरातत्व)

का०आ० 30.—केन्द्रीय सरकार ने, भारत के राजपत्र, भाग 2, खण्ड 3, उपखंड (ii) तारीख 11 सितम्बर, 1982 में पृष्ठ 3265-3266 पर प्रकाशित भारत सरकार के संस्कृति विभाग (भारतीय पुरातत्व सर्वेक्षण) की अधिसूचना सं० का०आ० 3204 तारीख 26 अगस्त, 1982 द्वारा उस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करने के अपने आणय की दो मास की सूचना दी थी और प्राचीन संस्मारक तथा पुरातत्वीय स्थल और अवशेष अधिनियम, 1958 (1958 का 24) की धारा 4 की उपधारा (1) के अपेक्षानुसार उक्त अधिसूचना की एक प्रति उक्त प्राचीन संस्मारक के पास एक सहजदृश्य स्थान पर चिपका दी थी।



और उक्त राजपत्र की प्रतियां जनता को 13 सितम्बर, 1982 को उपलब्ध करा दी गई थी;

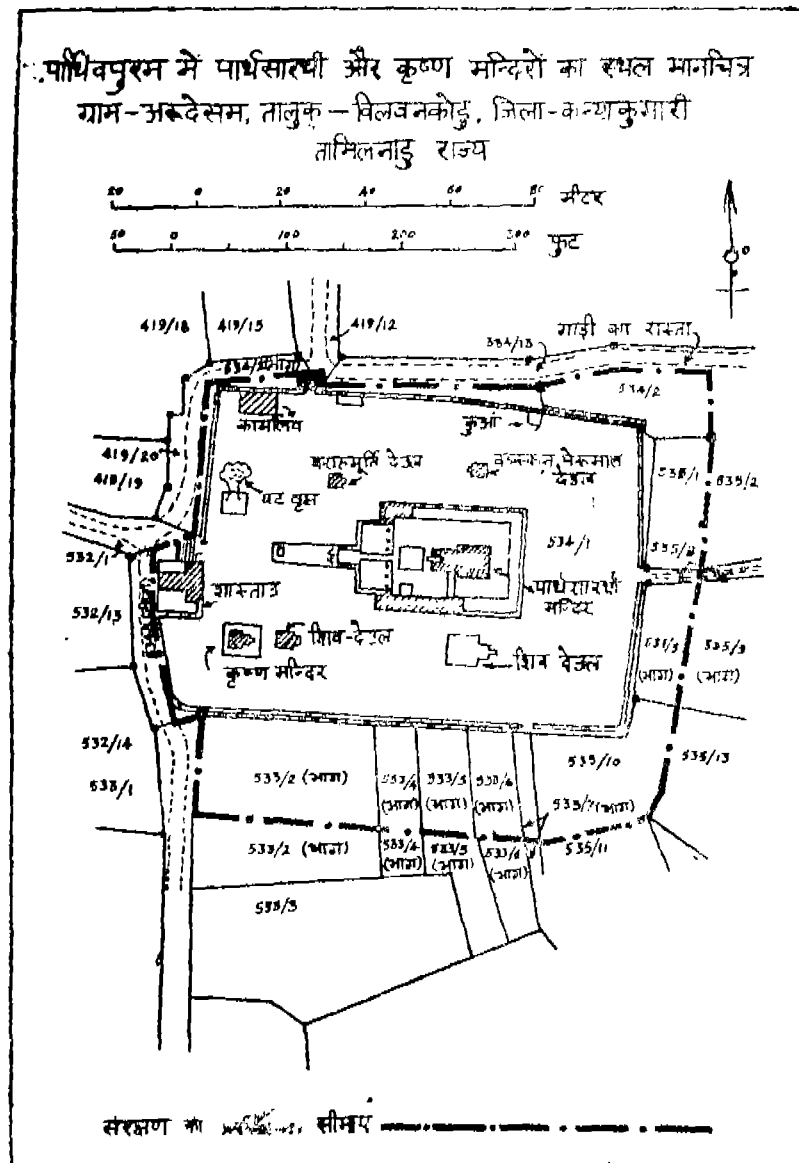
और केन्द्रीय सरकार को जनता से कोई आक्षेप प्राप्त नहीं हुए हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाबद्ध अनुसूची में विनिर्दिष्ट उक्त प्राचीन संस्मारक को राष्ट्रीय महत्व का घोषित करती है।

### अनुसूची

राज्य	जिला	तहसील	अवस्थान	संस्मारक का नाम	संरक्षण के अधीन सम्मिलित किए जाने सर्वेक्षण प्लॉट सं०
1	2	3	4	5	6
तमिलनाडु	कन्याकुमारी	विलावतकोडे	पार्थिवापुरम ग्राम अरुदेशम	पार्थसारथी और कृष्ण मंदिर कंप्लेक्स और साथ ही नीचे दिए गए स्थल रेखांक में दर्शित सर्वेक्षण प्लॉट सं० 535/1, 534/2, 535/10 और सर्वेक्षण प्लॉट सं० 534/1, 533/7, 535/8, 533/2, 533/4, 533/5, 533/6 और 535/9 के भाग में समाविष्ट सभी पस्थ क्षेत्र	नीचे दिए गए स्थल रेखांक में दर्शित सर्वेक्षण प्लॉट सं० 535/1, 534/2, 535/10 सर्वेक्षण प्लॉट सं० 534/1, 533/7, 535/8, 533/2, 533/4, 533/5, 533/6 और 535/9 का भाग

क्षेत्र	सीमाएं	स्वामित्व	टिप्पणियां
7	8	9	10
1.3228 हेक्टर	उत्तर : सर्वेक्षण प्लॉट सं० 419/12, 384/13 और सर्वेक्षण प्लॉट सं० 534/1 (कच्चे रास्ते) का शेष भाग। पूर्व : सर्वेक्षण प्लॉट सं० 535/2, 535/3 और सर्वेक्षण प्लॉट सं० 535/8 और 535/9 का शेष भाग दक्षिण : सर्वेक्षण प्लॉट सं० 533/1 और 535/11 और सर्वेक्षण प्लॉट सं० 533/2, 533/4, 533/5, 533/6 और 533/7 का शेष भाग। पश्चिम : सर्वेक्षण प्लॉट सं० 419/20, 533/1, 532/1, (कच्चा रास्ता) और सर्वेक्षण प्लॉट सं० 534/1 (कच्चे रास्ते) का शेष भाग।	सरकार जिसके अन्तर्गत प्लॉट सं० 534/2, 535/9, 535/10, 533/6, 533/5, 533/4 और 533/2 नहीं है जो पट्टा भूमि है और प्राइवेट स्वामित्व के अधीन है।	मंदिर धार्मिक उपयोग में हैं।



[सं० 2/35/76-एम०]

डी० मिश्र, महानिदेशक  
 और पदेन संयुक्त सचिव

S.O. 30.—Whereas by the notification of Government of India in the Department of Culture (Archaeological Survey of India) S.O.No. 3204, dated the 26th August, 1982, published in the Gazette of India, Part II, Section 3, Sub-section(ii), dated the 11th September, 1982, at pages 3265-3266, the Central Government gave two months' notice of its intention to declare the ancient monument specified in the Schedule annexed to that notification to be of national importance, and a copy of the said notification was affixed in a conspicuous place near the said ancient monument, as required by sub-section (1) of section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958);

And whereas the copies of the said Gazette notification were made available to the public on the 13th September, 1982;

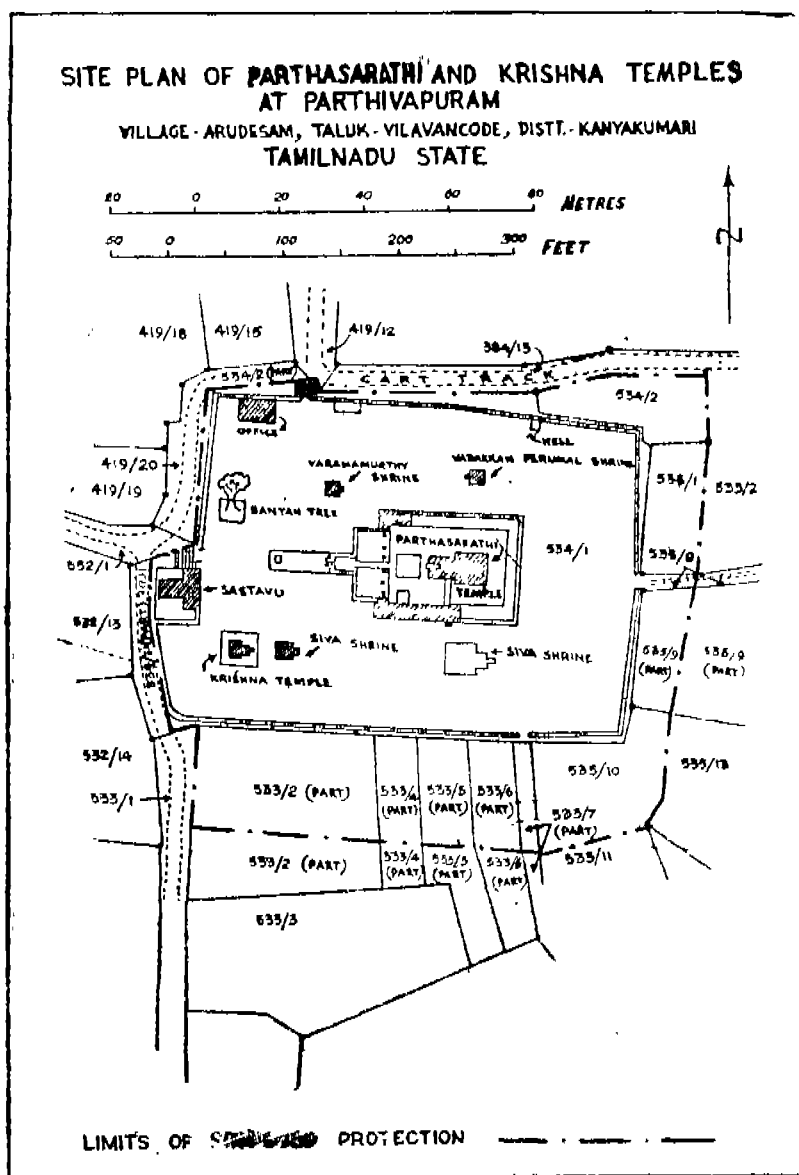
And whereas no objections have been received from the public by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, the Central Government hereby declares the said ancient monument specified in the Schedule annexed hereto to be of national importance.

#### SCHEDULE

State	District	Tehsil	Locality	Name of monument	Revenue plot numbers included under protection
1	2	3	4	5	6
Tamil Nadu	Kanya Kumari	Vilavancode	Parthivapuram village	Parthasarathi and Krishna temples complex together with	Survey plot Nos. 535/1, 534/2, 535/10, part of survey plot

1	2	3	4	5	6
			Arudesam	adjacent area comprised in survey plot Nos. 535/1, 534/2, 535/10 apart of survey plot Nos. 534/1, 533/7, 535/8, 533/2, 533/4, 533/5, 533/6 and 535/9 as shown in site plan reproduced below.	
Area	Boundaries	Ownership	Remarks		
7	8	9	10		
1.3228 Hectares	North—Survey plot No. 419/12, 384/13 and remaining portion of survey plot No. 534/1 (cart track) East.—Survey plot Nos. 535/2, 535/13 and remaining portions of survey plot Nos. 535/8 and 535/9 South.—Survey plot Nos. 533/1 and 535/11 and remaining portions of survey plot Nos. 533/2, 533/4, 533/5, 533/6 and 533/7 West.—Survey plot Nos. 419/20, 533/1, 532/1 (cart track) and remaining portion of survey plot No. 534/1 (cart track)	Government except survey plot Nos. 534/2, 535/9, 535/10, 533/6, 533/5, 533/4 and 533/2 which are patta land under private ownership.	The temple is under worship.		



[No. 2/35/76-M]

D. MITRA, Director General  
and Ex-Officio Joint Secretary

**अस और पुनर्वास मंत्रालय**

(अस विभाग)

गुडिपत्र

नई दिल्ली, 8 नवम्बर, 1983

का०जा० 31.—अस और पुनर्वास मंत्रालय (अस विभाग) की अधिसूचना संख्या एल-12012(156)/82-डी-2(ए), तारीख 19 अगस्त 1983 में "पंजाब और सिन्ध बैंक, देहरादून" के स्थान पर "अलाहाबाद बैंक, कानपुर" पढ़ा जाए।

[सं० एल-12012(156)/81-डी-2(ए)]

**MINISTRY OF LABOUR AND REHABILITATION**

(Department of Labour)

**CORRIGENDUM**

New Delhi, the 8th November, 1983

S.O. 31.—In the Ministry of Labour & Rehabilitation (Department of Labour) Notification No. L-12012(156)/82-D.II(A) dated 19th August, 1983 for "Punjab and Sind Bank, Dehradun" read "Allahabad Bank, Kanpur".

[No. L-12012(156)/81-D.II(A)]

**आदेश**

का०जा० 32.—केन्द्रीय सरकार की यह राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में स्टेट बैंक आफ बीकानेर एण्ड जयपुर, जयपुर के प्रबंधन से संबंधित एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;

और, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, अब, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री महेश्वर मृषण शर्मा होंगे, जिसका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

**अनुसूची**

"क्या स्टेट बैंक आफ बीकानेर एण्ड जयपुर, जयपुर के प्रबंधन द्वारा अपनी जोहारी शाखा, जयपुर के संबंध में श्री गोरधन सिंह, चपरासी-सह-फराश की सेवाएं 21/5/72 से समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुसूची का हकदार है?"

[सं० एल-12012/43/83-डी. 2(ए)]

एन०के० वर्मा, डेस्क अधिकारी

**ORDER**

S.O. 32.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of State Bank of Bikaner and Jaipur, Jaipur and their workman in respect of the matter specified in the schedule herein annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

**SCHEDULE**

"Whether the action of the management of State Bank of Bikaner and Jaipur, Jaipur in relation to their Johari Branch, Jaipur in terminating the services of Shri Gordhan Singh, Peon-cum-Farash with effect from 21-5-72 is justified? If not, what relief is the workman concerned entitled to?"

[No. L-12012/43/83-D.II(A)]

N. K. VERMA, Desk Officer.

नई दिल्ली, 9 नवम्बर, 1983

**आदेश**

का०जा० 33.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में डाक और तार, दूरभाष, जयपुर के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री ए. डब्ल्यू. पेथार्कर होंगे, जिसका मुख्यालय नागपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

**अनुसूची**

"क्या डाक और तार, दूरभाष, नागपुर के प्रबंधन की श्री कुन्हा-लिक सम्पत पाथमा से, मस्टर रोल के नैमित्तिक मजदूर को 31-12-81 से हटाने की कार्यवाही न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुसूची का हकदार है?"

[सं० एल-40012(11)/82-डी-2(बी)]

New Delhi, the 9th November, 1983

**ORDER**

S.O. 33.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Posts & Telegraphs, Nagpur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri A.W. Pendharkar shall be the Presiding Officer, with headquarters at Nagpur and refers the said dispute for adjudication to the said Tribunal.

**SCHEDULE**

"Whether the action of the management of Posts & Telegraphs, Telephones, Nagpur in removing Shri Kundalik Sampat Pathmase, Casual Mazdoor from Muster Roll with effect from 31-12-81 is justified? If not, to what relief the concerned workman is entitled?"

[No. L. 40012(11)/82-D. II(B)]

## प्रावेश

नई दिल्ली, 22 नवम्बर, 1983

का०आ० 34.—केन्द्रीय सरकार की यह राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में पश्चिमी रेल प्रशासन के प्रबन्ध-तंत्र से संबंधित एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः अब केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री महेश्वर भूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

## अनुसूची

“क्या रेल प्रशासन की सी०टी०सी०आई० पश्चिमी रेल, कोटा के अधीन कार्यरत नैमित्तिक श्रमिक श्री नारायण लाल शर्मा की 21 फरवरी, 1980 से सेवाएं समाप्त करते और उसको आगे रोजगार का अवसर न देने की कार्रवाई न्यायोचित है जबकि उससे कनिष्ठ कर्मचारों को परानतवर्ती रिक्तियों में रोजगार दे दिया गया था। यदि नहीं तो उक्त कर्मदार किस अनुतोष का हकदार है?”

[सं० एल-41011(19) 83-डी 2(बी)]

## ORDER

New Delhi, the 22 November, 1983

S.O. 34.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Western Railways Administration and their workmen in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

“Whether the action of the Railway Administration in discontinuing the services of Shri Narainlal Sharma, Casual labour working under CTOI Western Railway, Kota with effect from the 21st February, 1980 and further of not giving him an opportunity for employment when his juniors were employed on subsequent vacancies is justified? If not, to what

[No. L-41011(19)/83-D. II(B)]

का०आ० 35.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में पश्चिम रेलवे प्रशासन के प्रबन्धतंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री महेश्वर भूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

## अनुसूची

क्या रेलवे प्रशासन की अपने पत्र सं० ई/टी/308/12/6016 तारीख 24-7-81 द्वारा अपने कोटा प्रभाग से संबंधित पश्चिम रेलवे कोटा के टी०टी०ई० श्री वाई०पी० के द्वारा की 6-3-82 से दो वर्ष के लिए, बेतन वृद्धि राकने की कार्यवाही न्यायोचित है? यदि नहीं तो श्री वाई०पी० द्वारा किस अनुतोष का हकदार है?

[सं० एल-11011(24)/83-डी-2(बी)]

S.O. 35.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Western Railways Administration and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

“Whether the action of the Railways Administration in relation to their Kota Division in withholding the increments of Shri Y.P. Dewra, T.T.E., W. Railways, Kota for two years with effect from 6-3-82 vide their letter No. E/T/308/12/6016 dated 24-7-81 and for one year with effect from the same date vide their letter No. E/T/308/12/6016 dated 3-9-81, justified? If not, to what relief is Shri Y.P. Dewra entitled to?

[No.L. 41011(24)/83-D.II(B)]

## प्रावेश

नई दिल्ली, 30 नवम्बर, 1983

का०आ० 36.—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में जिला स्टोर नियंत्रक (जनरल स्टोर) पश्चिमी रेलवे, साबरमती, अहमदाबाद के प्रबन्धतंत्र से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी०एस० बारोस होंगे, जिनका मुख्यालय अहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

## अनुसूची

“क्या रेलवे प्रशासन की स्टोर्स कीपो साबरमती के कर्मचारियों को अग्रिम मंजूर करने हेतु जमानत देने के लिए दबाव डालने की कार्यवाही न्यायोचित है? यदि नहीं तो कर्मकार किस अनुसंधान के हकदार है?”

[संख्या एन-41011/2 /83-डी-2(बी)]

New Delhi, the 30th November, 1983

## ORDER

S.O. 36.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of the District Controller of Stores (General Stores) Western Railway Sabarmati Ahmedabad and their workmen in respect of the matter specified in the schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G.S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

“Whether the action of the Railway Administration in insisting for production of surety for the grant of advance to the employees of Stores Depot Sabarmati is justified? If not, to what relief are the workmen entitled?”

[No. I-41011(23)/83-D.II(B)]

का० आ० 37.—केन्द्रीय सरकार की राय है कि हमने उपावद्ध अनुसूची में विनिश्चित विषय में पश्चिमी रेलवे के प्रबंधन में संबंध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री महेश्वरभूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है।

## अनुसूची

“क्या पश्चिमी रेलवे, अजमेर के मुख्य लिपिक सी एंड डब्ल्यू शां, श्री पी० डी० अग्रवाल से वर्ष 1977 और 1980 में उसके पुत्र को दिये गये स्कूल पारों के लिये 1520 रुपये वसूल करना न्यायोचित है? यदि नहीं तो श्री अग्रवाल किस अनुसंधान के हकदार है?”

[संख्या एन-41012/17/83-डी-2 (बी)]

टी० बी० सीतारामन, डेस्क अधिकारी

S.O. 37.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Western Railway and their workmen in respect of the matter specified in the schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

“Whether the recovery of Rs. 1520/- from Shri D. P. Agarwal Head Clerk C & W Shop, Western Railway, Ajmer towards issue of school passes in the years 1977 and 1980 for his son is justified? If not to what relief Shri Agarwal is entitled?”

[No. I-41012(17)/83-D.II(B)]

T. B. SITARAMAN, Desk Officer

## आदेश

नई दिल्ली, 3 दिसम्बर, 1983

का० आ० 38.—केन्द्रीय सरकार की राय है कि हमने उपावद्ध अनुसूची में विनिश्चित विषय के बारे में श्री मोहम्मद ईरफान, सुपुत्र श्री सुलतान अहमद मालिक जूना पत्थर, खान, मुकेश, जिला कोटा से संबंध। एक औद्योगिक नियोजकों और उनके कर्मचारियों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (i) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री महेश्वरभूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है।

## अनुसूची

क्या श्री मोहम्मद ईरफान, सुपुत्र श्री सुलतान अहमद मालिक जूना पत्थर खान, मुकेश, जिला कोटा द्वारा नियोजित कर्मचारियों का निम्नलिखित मांगे न्यायोचित है? यदि हाँ तो संबंधित कर्मकार किस अनुसंधान के हकदार है।

1. 600 रुपये प्रति माह तक प्राप्त करने वाले मासिक दर कर्मचारियों को 1-10-82 से 80 रु० प्रति माह की बढ़ोतरी तथा 600 रुपये प्रति माह से अधिक प्राप्त करने वाले कर्मचारियों को 120 रुपये प्रति माह की बढ़ोतरी दी जानी चाहिए।

2. ओपन कास्ट साईन में नियोजित सभी कुलियां तथा वेजदारों (अकुशल श्रमिकों) को 1-10-1982 से दैनिक मजदूरी के रूप में 12 रुपये तथा एक वर्ष में 180 दिन कार्य करने वाले श्रमिकों को इसके अनिवार्य 1 रुपये प्रति दिन हाजरी भत्ते के रूप में दिया जाना चाहिए।

3. सभी पत्थर काटने वालों (कारीगरों) को 1-10-82 से प्रति 107 वर्ग फुट पत्थर काटने के लिए 15 रुपये की दर से तथा एक वर्ष में 24,000 वर्ग फुट पत्थर काटने वाले श्रमिकों को इसके अनिवार्य प्रति 100 वर्ग फुट पत्थर काटने के लिए 2 रुपये की दर से भुगतान किया जाना चाहिए।

[संख्या एन-29012/19/83-डी-3 (बी)]

## ORDER

New Delhi, the 3rd December, 1983

S.O. 38.—Whereas the Central Government is of the opinion, that an industrial dispute exists between the employers in relation to Mohd. Irfan S/o Shri Sultan Ahmed, Lime Stone Mine Owner, Suket, Dist. Kota and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

Whether the following demands of workmen employed by Shri Mohd. Irfan S/o Shri Sultan Ahmed, Lime Stone Mine Owner, Suket, Dist. Kota are justified? If so, to what relief are the concerned workmen entitled?

## DEMANDS

1. An increase of Rs. 80 per month should be given to monthly rated employees drawing upto Rs. 600 per month and an increase of Rs. 120 per month to those drawing over Rs. 600 per month, with effect from 1-10-1982.

2. All coolies and beldars (unskilled workers) employed in the Open Cast Mine should be paid Rs. 12 as daily wage and those who work for 180 days in a year be paid Re 1 per day as attendance (Hazari) allowance in addition, with effect from 1-10-82.

3. All stone cutters (Karigars) should be paid at the rate of Rs. 15 per 107 sq. ft. of stone cutting and those who have cut 24,000 sq. ft. of stone in a year be paid in addition Rs 2 per 100 sq. ft. of stone cutting, with effect from 1-10-1982.

[No. L-29012/19/83-D.III(B)]

आदेश

नई दिल्ली, 21 दिसम्बर, 1983

का० आ० 38—केन्द्रीय सरकार की राय है कि उसमें उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में श्री पोंकुमार मैग्नेसाइट माईन्स, सलेम-636032 (तमिलनाडु) के ठेकेदार श्री सी० कन्दन के प्रबंधन से संबंध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० अरुण राज होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या श्री पोंकुमार मैग्नेसाइट माईन्स, जागीर अम्मापलायम, सलेम-636032 के ठेकेदार श्री सी० कन्दन की उनके अधीन कार्य कर रहे श्री पेम्बल, पुञ्ज श्री चिन्नापान की सेवाएं, 22 अप्रैल, 1983 में समाप्त करने की कार्यवाही कानूनी तथा न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुसूची का हकदार है?”

[संख्या एन-27011/11/83-डी-3 (बी)]

## ORDER

New Delhi, the 21st December, 1983

S.O. 39.—Whereas the Central Government is of opinion that an industrial dispute exists between the employer in relation to Shri C. Kandan, Contractor of Shri Ponkumar Magnesite Mines, Salem-636032 (Tamil Nadu) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Arul Raj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

Whether the action of Shri C. Kandan, Contractor of Shri Ponkumar Magnesite Mines, Jagir Ammapalam, Salem-636032 in terminating the services of Shri Perumal S/o Shri Chinappan working under him with effect from the 22nd April, 1983, is legal and justified? If not, to what relief is the workman concerned entitled?

[No. L-27011(11)/83-D.III(B)]

आदेश

नई दिल्ली, 29 दिसम्बर, 1983

का० आ० 40—केन्द्रीय सरकार की राय है कि इसमें उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में डालमिया मैग्नेसाइट कॉर्पोरेशन, सलेम के प्रबंधन से संबंध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्याय-निर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० अरुण राज होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्याय-निर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स डालमिया मैग्नेसाइट कॉर्पोरेशन, सलेम (तमिलनाडु) के प्रबंधन की श्री सी० मानीकम उम्बर इन्डियर की 13-2-82 से सेवा समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं तो कर्मकार किस अनुसूची का हकदार है?”

[सं० एन-27012(4)/83-डी-3(बी)]

नन्द लाल, अवर सचिव

## ORDER

New Delhi, the 29th November, 1983

S.O. 40.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the mangement of Dalmia Magnesite Corporation, Salem and their workman in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T. Arul Raj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

Whether the action of the management of Messrs Dalmia Magnesite Corporation, Salem (Tamil Nadu) in dismissing Shri C. Manickam, Dumper Driver, from service with effect from 13-2-1982, is justified or not, to what relief is the workman concerned entitled?

[No. I-27012(4)/83-D.II(B)]  
NAND LAL, Under Secy.

नई दिल्ली, 17 दिसम्बर, 1983

का० आ० 41.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मीर स्पेस सैलर प्राइवेट लिमिटेड आगरा बिल्डिंग, सैफंड फ्लोर, 119/121, एम० जी० रोड, बम्बई-23 नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35018/54/83/पी० एफ-2]

New Delhi, the 17th December, 1983

S.O. 41.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mir Space Seller Private Limited, Agra Building, 2nd Floor, 119/121, M.G. Road, Bombay-23 have agreed that the provision of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[N. S-35018(54)/83-P.F.II]

का० आ० 42.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रोबोट सिस्टम्स प्राइवेट लिमिटेड, 77, तीसरा फेज पीन्या इन्डस्ट्रियल एरिया, बंगलूर-560058, कर्नाटक नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गयी है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/345/83/पी० एफ-2]

S.O. 42.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Robot Systems Private Limited, 77, III Phase, Peenya Industrial Area, Bangalore-560058, Karnataka, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(345)/83-P.F.II]

का० आ० 43.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राकी इंडस्ट्रीज, 2-113, पिथापुरम रोड, रामानैया पेटा, काकिनदा-533009, आंध्र प्रदेश नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/343/83/पी० एफ-2]

S.O. 43.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Raki Industries, 2-113, Pithapuram Road, Ramanayya Peta, Kakinada-533009 Andhra Pradesh, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(343)/83-P.F.II]

का० आ० 44.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डिस्ट्रिक्ट शेड्यूल्ड कास्ट सर्विस को-ऑपरेटिव सोसाइटी, श्रीकाकुलम, आंध्र प्रदेश नामक स्थापन के संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 14) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35018/342/83/पी० एफ-2]

S.O. 44.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs District Scheduled Caste Service Co-operative Society, Srikakulam, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(342)/83-P.F.II]

का० आ० 45.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पोलेमर प्लास्टिक्स, 58/59, न्यू इमरावर इन्डस्ट्रियल इस्टेट, कोनशी वटा रोड अन्धेरी (इस्टेट) बम्बई-59 और हमकी युनिट-II, ज० बी० मेटल इन्डस्ट्रीज बिल्डिंग, बम्बई-72 नामक स्थापन के सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35018/57/83/पी० एफ-2]



S.O. 45.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Polymer Plastics 58/59, New Empire Industrial Estate, Kondivitta Road, Andheri (East), Bombay-59 including its Unit No. II at J.B. Metal Industries Building Saki-Vihar Road, Bombay-72 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35018(57)/83-P.F.II]

का० आ० 46.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इनडिपेंडेंट ट्रांसपोर्ट कॉर्पोरेशन, 26-ए, के० डी० मुखर्जी रोड, कलकत्ता-34, पी० एम० भल्ला और इस का आफिस 4, हलदर लेन, कलकत्ता-12 में स्थित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35017(136)/83/पी०एफ-2]

S.O. 46.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Independent Transport Corporation, 26-A.K.D. Mukherjee Road, Calcutta-34, P.S. Behala including its office at 4, Halder Lane, Calcutta-12 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(136)/83-P.F.II]

का० आ० 47.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रोजमाउंट (इन्डिया) लिमिटेड 210, डा० डी० एन० रोड, बम्बई नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35018/55/83/पी०एफ-2]

S.O. 47.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Rosemount (India) Limited, Raj Building, 210, Dr. D. N. Road, Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment;

[No. S-35018(55)/83-P.F.II]

का० आ० 48.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एच० एम० इक्विपमेंट्स प्राइवेट लिमिटेड, प्लॉट नं० 1063, एन० आर० जैन टैम्पल, पीछे अम्बिका सिलिंडर वाटवा-382440 डिस्ट्रिक्ट अहमदाबाद और ताज बिल्डिंग, 210, डा० डी० एन० रोड, वाटवा-400001, महाराष्ट्र स्थित उक्त आफिस नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/346/83-पी०एफ-2]

S.O. 48.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs H. S. Equipment Private Limited, Plot No. 1063, Nr. Jain Temple, Behind Ambica Cylinder, Watwa-382440, District, Ahmedabad including its office at Taj Building, 210 Dr. D. N. Road, Bombay-400001, Maharashtra have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(346)/83-P.F.II]

का० आ० 49.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बुलांस, बी/12-बी, इन्डस्ट्रियल ईस्टेट, पोली ग्राउंड, इन्दौर-452053 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एम-35019/349/83/पी०एफ-2]

S.O. 49.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nulabs, B/12-B, Industrial Estate, Pologround, Indore-452053 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(349)/83-P.F.II]

का० आ० 50.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम०पी०सी० एम्प्लॉयज वन्जूमर्स को-ऑपरेटिव सोसाइटी लिमिटेड अम्बिका नगर-581363 कर्नाटक तथा अम्बेवाडी ब्रान्च दन्देली स्थित इसकी शाखा सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एग-35019/348/83/पी०एफ०-2]

S.O. 50.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs M.P.C., Employees' Consumers Co-operative Society Limited, Ambika Nagar-581363, Karnataka including its branch at Ambewadi, Dandeli, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(348)/83-P.F.II]

का० आ० 51.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मशीनरी गैजेट्स एण्ड सर्विस जोईन्ट रोड रायपुर (मध्य प्रदेश) और शाखा मिशन रोड कोरबा बिलासपुर में नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/350/83/पी०एफ०-2]

S.O. 51.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Machinery Sales and Service, G. E. Road, Raipur (MP) including branch at Mission Road, Korba Bilaspur have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(350)/83-P.F. II]

का० आ० 52.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स गायत्री टाइल्स 64-65 इन्डस्ट्रियल एरिया, ए० बी० रोड, देवास (मध्य प्रदेश) नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/351/83/पी०एफ०-2]

S.O. 52.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Gavatri Tiles, 64-65, Industrial Area, A. B. Road, Dewas, Madhya Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(351)/83-P.F. II]

का० आ० 53.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अशिम कुमार मुखर्जी के.ए.ओ.एफ. बबलू कुमार बेरा किस्मत नानगी, पोस्ट आफिस :—हैथल खाली, बाटा नगर-24 पारगनामा नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017/131/83/पी०एफ०-2]

S.O. 53.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ashim Kumar Mukherjee C/o. Bablu Kumar, Bera Kismat Nangi, P. O. Hanthal Khali, Batanagar, 24, Parganas have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(131)/83-P.F. II]

का० आ० 54.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कैथलिन, 12 मिरजा गालिब स्ट्रीट कलकत्ता-16, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017/137/83/पी०एफ०-2]

S.O. 54.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kathleen, 12, Mirza Ghalib Street, Calcutta-16 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(137)/83-P.F. II]

का० आ० 55.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वीरा प्रापर्टीज प्राइवेट लिमिटेड, 33/1, ग्रांट रोड, बंगलोर-1 कर्नाटक नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम-35019/344/83/पी०एफ०-2]

S.O. 55.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vira Properties Private Limited, 33/1, Grant Road, Bangalore-1, Karnataka have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(344)/83-P.F. II]

का० आ० 56.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स खैतान पैकिंग इन्डस्ट्रिज (प्राइवेट) लि० रजि० ऑफिस 23-ए, नेताजी सुभाष रोड 5वां मंजिल, कलकत्ता-700001 और इसकी फैक्ट्री 1, ओयल इन्स्टालेशन रोड, पहाड़पुर कलकत्ता-43 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम०-35017/130/83/पी०एफ०-2]

S.O. 56.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Khaitan Packaging Industries Private Limited (Regd. Office) 23-A, Netaji Subhas Road, 5th Floor, Calcutta-700001 and its factory at OIL Installation Road, Paharpur, Calcutta-43 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(130)/83-P.F. II]

का० आ० 57.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ताथे केन्द्रा 10 गोरमेट प्लेस ईस्ट, मैकड फनीर कलकत्ता-69 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम०-35017/128/83/पी०एफ०-2]

S.O. 57.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tathya Kendra 10, Government Place East, 2nd Floor, Calcutta-69 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(128)/83-P.F. II]

का० आ० 58.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हैलडोर टोपोज इन्टरनेशनल, ए/एन, ए-5 कुतब होटल श्री अरोबिन्द मार्ग नई दिल्ली-16, नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम०-35019/351/83/पी०एफ०-2]

S.O. 58.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Haldor Topsoe International A/S A-5, Qutab Hotel, Sri Aurobindo Marg, New Delhi-16 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(352)/83-P.F. II]

का० आ० 59.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एसोसिएटेड ट्रेडर्स, 1, नृत्य गोपाल गोमाल रोड श्रद्धाधा कलकत्ता-57 और इसका गोडाउन 44-सागर दुत्ताघाट रोड कर्महती, कलकत्ता-58 और फैक्ट्री, 1, जय कृष्ण गोमाल रोड श्रद्धाधा कलकत्ता-57 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

[सं० एम०-35017/138/83/पी०एफ०-2]

S.O. 59.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Associated Traders 1, Nritya Gopal Ghosal Road, Ariadaha, Calcutta-57 including its "Godown" at 44-Sagar Duttghat Road, Kamarhati, Calcutta 58 and "Factory" At. 1, Jaykrishna Ghosal Road, Ariadaha Calcutta-57 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(138)/83-P. F. II]

का० आ० 60.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नार्मनस रोज फ़ाउंड को०, ए-3/8, ग्रीलैंडर हाउस, 8, नेताजी सुभाष रोड, कलकत्ता-1 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35017(135)/83/पी०एफ०-2]

S.O. 60.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Narmans Ross and Company, A-3/8, Gillander House, 8 Netaji Subhas Road, Calcutta-1 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(135)/83-P. F. II]

का० आ० 61.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स केरल स्टेट कोकोनट डेवलपमेंट कॉर्पोरेशन लिमिटेड "जानकी" निवास, वाझुथाकाड, त्रिवेन्द्रम-695014, केरल तथा (1) इन्टिग्रेटेड कोकोनट प्रोसेसिंग कम्प्लेक्स, किझुवल्लम डाकघर, मामम अटिंगल, (2) कोपरा परचेज सेंटर चुन्नाम, अलेप्पी तथा (3) इन्टिग्रेटेड कोकोनट प्रोसेसिंग कम्प्लेक्स, कोराप्पुझा डाकघर, कालीकट म्युनिसिपल शाखाओं सहित नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/347/83/पी०एफ०-2]

S.O. 61.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Kerala State Coconut Development Corporation Limited, "Janaki Nivas", Vazhuthacaud, Tiruvandur-695014, Kerala including its branches (1) Integrated Coconut Processing Complex, Kizhuvallam, P. O. Mamom, Attingal (2) Copra Purchase Centre, Chungom, Alleppey and (3) Integrated Coconut Processing Complex, Korappuzha P. O. Calicut have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(347)/83-P. F. II]

का० आ० 62.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुनेहरी लाल तेज प्रकाश प्राईवेट लिमिटेड, 20, राजस्थानी उद्योग नगर, जी० टी० कर्नाल रोड, दिल्ली-33 नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/352/83/पी०एफ०-2]

S.O. 62.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sunehri Lal Taj Prakash Private Limited 20, Rajasthani Udyog Nagar, G. T. Karnal Road, Delhi-33 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(353)/83-P. F. II]

का० आ० 63.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हटल आनन्द भवन, निरुपथि, आन्ध्र प्रदेश नामक स्थापन के सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

[सं० एस-35019/354/83/पी०एफ०-2]

ए० के० भट्टाराई, अवर सचिव

S.O. 63.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hotel Ananda Bhavan, Tirupathi, Andhra Pradesh have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35019(354)/83-P. F. II]

A. K. BHATTARAI Under Secy.

नई दिल्ली, 20 दिसम्बर, 1983

BEFORE SHRI J. P. VASISTHI, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL, CHANDI-  
GARH

Case No. I.D. 97/83/31 of 1980

## PARTIES :

Employers in relation to the management of Beas Sutlej  
Link Project, Sundernagar-Himachal Pradesh.

## AND

Their Workman—Om Parkash.

## APPEARANCES :

For the Employers—S/Shri M. K. Bohra and R. L.  
Dogra.For the Workman—Shri R. K. Singh.  
B.S.L. Project : Sundernagar. STATE : Himachal Pradesh.

## AWARD

Dated the 7th of December, 1983

The Central Govt., Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter referred to as the Act, vide their Order No. L-42012(41)/79-D.I.B. dated the 29th of April and 2nd of May, 1980 read with S.O. No. S-11025(2)/83 dated the 8th of June, 1983 referred the following Industrial Dispute to this Tribunal for adjudication :—

"Whether the action of the management of B.S.L. Project, Sundernagar Township, in retrenching Shri Om Parkash, Token No. 234-Q (working in the Communication Division of B.S.L. Project at Nangal) from the trade of M.T.O. 'Wood Work' especially when there is no trade as 'Wood Work' in the category of M.T.O. (Machine Tool Operator) is justified? If not, to what relief the workman is entitled to?"

2. According to the petitioner/workman, he was appointed as a junior Machine Tool Operator at B.S.L. Project on 17-9-1971 and transferred to Nangal BSL Communication Division on 16-11-1971; before that he was serving in the same capacity under the Bhakra Beas Management Board in the Trade classification of "Drilling, Punching and Sheering"; that he had also undergone one year's regular training in the said Trade at L.T.I. Nangal and it was in view of his experience and qualifications that he was recruited at the Respondent's Project without any Trade test. In due course of time he got his promotion as a Machine Tool Operator and continued working in his original Trade "Drilling, Punching and Sheering".

3. It was averred that the petitioner/workman never worked in the Wood Works Trade; that he had no knowledge of the said Trade and otherwise too, there was no occasion for him to serve there because the management did not even have a single Saw Mill to operate that Trade. Elaborating his grouse, the workman complained that he was wrongly retrenched on the assumption of being a member of the Wood Works Trade and that his retrenchment was further void being violative of Section 25-C and 25-P(b) of the Act, because many persons junior to him were retained in service and he was not given any retrenchment compensation either. He, therefore, raised an Industrial Dispute which could not be resolved amicably despite the intervention of the A.J.C. (C) and hence the Reference.

4. Resisting the petitioner's claim on all the relevant counts, the management denied that he was ever employed for the Trade of Drilling, Punching and Sheering or that any Workman junior to him was retained in service. They pleaded that in fact he was recruited as a Junior Machine Tool Operator (Wood Works) and promoted as Machine Tool Operator in the same Trade w.e.f. 1-10-73; that he worked as such through out his service tenure without any reservation; so much so that seniority lists of the said Trade were circulated

का० आ० 64—केंद्रीय सरकार ने यह समाधान हो जाने पर कि लोक हित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (VI) के उपबंधों के अनुसरण में भारत सरकार के अम सत्रालय की अधिसूचना संख्या का० आ० 2868 तारीख 25 जून 1983 द्वारा बैंकिंग उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 जून 1983 से छ. मास की कालावधि के लिए उपयोगी सेवा घोषित किया था।

और केंद्रीय सरकार की राय है कि लोकहित में उक्त कालावधि का छ. मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (VI) के परन्तुक द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केंद्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 दिसम्बर 1983 से छ. मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[का० एस० 1101 7/8/1981-डी० 1(प.)]

एस० एल० एस० आर्यर, अवर सचिव

New Delhi, the 20th December, 1983

S.O. 64.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) in relation to, the establishment known as Messrs of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 2865 dated 25th June, 1983, the Banking Industry carried on by a Banking Company as defined in clause (bb) of section 2 of said Act to be a public utility service for the purpose of the said Act, for a period of six months, from the 29th June, 1983.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 29th December, 1983.

[No. S-11017/9/81-D. I(A)]

S. H. S. IYER, Under Secy.

New Delhi, the 28th December, 1983

S.O. 65.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Beas Sutlej Link Project, Sundernagar and their workman, which was received by the Central Government on the 13th December, 1983.

on various occasion upto the year 1976 and he never objected to them, he rather rose late in the day to project a false representation to avoid the retrenchment which could not be helped because the Project was in the process of winding up its business on completion under Section 25-FFF of the Act. Similarly the management denied the breach of any provisions of Section 25-F(b) or 25-G of the Act. They however, admitted that before taking up the employment with them he was retrenched from Bhakra Beas Management Board and was spared the formality of any Entrance Test in view of his experience.

5. On their pleadings the parties were taken to trial on the following issues framed by my learned predecessor :—

1. As in the Order of Reference.

2. Relief.

6. In support of their respective versions the parties adduced oral as well as documentary evidence which I have carefully scrutinised and heard them at length.

7. Shri R. K. Singh, the authorised representative of the Workman, draw my pointed attention towards the discharge certificate Ex. W3—W4 for the contention that he was primarily engaged in the trade of Drilling, Punching and Sheering. He also referred me to the Workman's application Ex. W2 dated 22-7-1976 and the representation Ex. W1 dated 1-7-1977 against the "change" to the Trade of Wood Works. It was against such back drop that the affidavits Exbts. WW 1/1 and WW 2/1 of Kishori Lal and the petitioner/Workman Om Parkash were pressed with the submission that there was no justification in treating him as a Workman of the Wood Works Trade so as to warrant his retrenchment.

8. In spite of its seeming attraction, the effort of Shri Singh failed to carry conviction with me. The pertinent point is that the discharge certificate Ex. W3—W4 has no binding effect on the respondent/management. At its best, it shows the employment of the petitioner/Workman in the particular trade of Drilling, Punching and Sheering by his previous Employer, concerned with the Bhakra Dam Project. Of course he was recruited by the respondent/Management on his retrenchment by the Bhakra Dam Project; but according to the common case of the parties, it was a fresh appointment rather than an alternative one. Similarly, the respondents' magnanimity in exempting the petitioner from the qualifying test at the time of his induction in service is no ipso-facto admission of his attachment to their Drilling, Punching and Sheering Section.

9. On the other hand, per entries in his Service-Book, the petitioner was assigned the trade of General Wood Works right from the initial stage. Affidavit Ex. MW 1/1 of O. P. Verma X.E.N. Incharge of the Personnel Division, shows that the seniority lists revealing the petitioner/Workman on the cadre strength of the General Wood Works were duly circulated on different occasions in the years 1975 and 1976 and that no objection was raised by the petitioner/Workman to their contents. The respondent/Managements annexures with their letters Ex. M1 and M2 also contain the relevant seniority lists, and it goes without saying that in both these documents the petitioner was shown to be a Machine Tool Operator employed in the General Wood Works Trade. Interestingly enough, the deposition of Shri Verma was not questioned on this aspect of the issue in spite of his availability in the witness-box to face the acid test of cross-examination. To crown it all, in the opening part of his own cross-examination, the petitioner/Workman conceded that he never challenged the correctness of his seniority. In my considered opinion, perhaps there could not be a more specific case of one's acquiescence in the assignment of the Trade.

10. In so far as the petitioner/Workman documents Ex. W1 and W2 are concerned they hardly advance his cause because the later exposes his admission of being the junior

most in the Trade, whereas the representation Ex. W1 was made in July 1977 i.e. after the service of the retrenchment notice. Similarly, the oral deposition of the petitioner and his alleged supervisor Kishori Lal do not deserve much credit particularly when on his own showing Kishori Lal was the Foreman Special Auto, which is an entirely different Trade.

11. Shri R. K. Singh contended that there was no Saw Mill in the Communication Division where the services of the petitioner could be utilised and that this fact alone was sufficient to establish that he was working in a different Trade. I am not impressed with the logic of Shri Singh because he appears to have lost sight of the Management's explanation adduced through the affidavit Ex. MW1/1 (para 4) of the concerned X.E.N. Shri O. P. Verma that the Machine Tool Operator (General Wood Works) are not meant for working on the Saw Mill, rather they are required for the maintenance and repair of the tools used for Wood Works. No effort was made to shake up the credibility of his explanation during his cross-examination.

12. Last but not the least submission raised on behalf of the workman was that some of his juniors viz: Sarvshri Sat Pal Token No. 336-C, Chaman Lal Token No. 359-C, Ram Lal Token No. 27-C and Brij Mohan Token No. 155-E were retained in service at the time of the impugned retrenchment.

13. However, the management was fair enough to produce the Service-Books of all of them. They were examined by me with the assistance of the parties. A perusal thereof showed that atleast Sat Pal was senior to the petitioner in the light of his promotion as M.T.O. w.e.f. 1-9-1972 and that none of them belonged to the General Wood Works Trade, rather three of them viz. Sat Pal, Chitman Lal and Ram Pal belonged to the Trade of "Pressing, Binding and Sheering Machine". Obviously the petitioner could not be allowed to exploit their retention in service so as to project a grouse of violation of Section 25-G; after all it had never been his case that these Trades were interchangeable.

14. It may also be worthwhile to note that in the claim petition an averment was made regarding the non-payment of retrenchment compensation, but this point was not raised before me during the course of arguments, probably in the light of the Respondents' contention of winding up their work within the purview of Section 25-FFF as acknowledged in the case of Sunder Singh and another Vs. Beas Construction Board New Delhi and others AIR 1979 Punjab and Haryana 1—1979 Lab. I. C. 12.

15. Thus to sum up my aforesaid discussion on the limited available data, I find no impropriety, irregularity or illegality in the Order of the respondent/Management in retrenching the petitioner/Workman and as such, on sustaining the justification of their action, I return the Award against the Workman.

Chandigarh.

Date: 1.—7-12-1983.

Sd/-

I. P. VASISHTH, Presiding Officer.

[No. 1-42012(41)/79-D. II (B)]

S.O. 66.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board and their workman, which was received by the Central Government on the 13th December, 1983.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
CHANDIGARH.

Case No. I.D. 75/83/115 of 1983.

**PARTIES :**

Employers in relation to the management of Bhakra  
Beas Management Board Nangal Township-Punjab.

**AND**

Their Workman.—Joginder Pal.

**APPEARANCES :**

For the Employers.—Shri R. L. Kaith.

For the Workman.—Shri R. K. Singh.  
Bhakra Beas Management Board Nangal State—Punjab.

**AWARD**

Chandigarh, the 8th December, 1983

The Central Govt. Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 hereinafter referred to as the Act, vide their Order No L-42012(2)/82-D. II (B) dated the 9th of November, 1982 read with S. O. No. S-11025(2)/83 dated the 8th of June, 1983 referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the Management of Bhakra Beas Management Board in terminating the services of Shri Joginder Pal T. Mate, Chowkidar with effect from 1-6-1981 is justified? If not to what relief the workman is entitled?”

2. According to the petitioner/Workman he was appointed as a T. Mate on Work charge basis by the respondent/Management under the Resident Engineer Ganguwal and Power Houses w.e.f. 12-10-1978 and he remained employed there till 31-5-1981 when his services were terminated on 10 days' notice. During this period there were some formal breaks as he worked in the capacity of a Chowkidar on daily basis w.e.f. 28-4-1980 to 31-7-1980, again w.e.f. 1-8-1980 to 31-8-1980 and then w.e.f. 1-9-80 till 31-5-1981. Thus he had an almost continuous of service from 12-10-1978 to 31-5-1981.

3. The petitioner/Workman questioned the propriety and legality of his retrenchment on the averment that it was in violation of the provisions of Section 25F (a) and (b) of the Act, because he was neither given on month's notice salary in lieu thereof, and the benefit of retrenchment compensation was also denied to him. It was propounded that a number of his juniors were retained in service on the whim of pick and choose and even after his termination, a number of raw hands were recruited from the open market without providing him an opportunity of employment. He, therefore, raised an Industrial Dispute which could not be settled amicably and hence the Reference.

4. Resisting the claim-petition on all conceivable counts, the Respondent management questioned the propriety and maintainability of the Reference on the ground that it was bad for mis-joinder and non-joinder of the necessary parties and that there was no dispute to call for a judicial adjudication. On the point of fact, it was projected that the petitioner was employed as a workcharge, T. Mate for a specific period of three months for the construction of Bhakra Gangawal 3rd circuit w.e.f. 12-10-1978 and his term of employment was extended till 20-12-1979 when his termination was effected on one month's notice; however, the petitioner was re-employed w.e.f. 22-12-1979 for completion of some left-over work and discharged in April 1980 on ten days' notice as required under the Certified Standing Orders. Later on, he was appointed as a contingent T. Mate against a job of purely temporary nature concerning civil work w.e.f. 30-6-1980 and enrolled again as Chowkidar on 10-9-1980 so as to continue up to the impugned termination on 31-5-1981.

5. For the obvious reasons, the management justified their action in terminating the petitioner's services and denied the violation of the provisions of Section 25-F (a) and (b), 25-C and 25-H of the Act with the explanation that no less than 375 similarly placed Workers were retrenched alongwith the petitioner on closing down of the specific work for which they were employed. It was vehemently denied that any person junior to him was retained in service or that any fresher was given employment after his termination.

6. In the light of the aforesaid pleadings, over and above the terms of Reference as disclosed in the earlier part of the instant Award, the following additional issue was also framed :—

1. Whether the reference is legally infirm and incompetent as alleged?

7. To support his case, the petitioner felt contended with his own deposition whereas the respondent/Management filed a number of documents, besides examining their S.D.O. Shri G. L. Arora. I have carefully perused the entire material on records and heard the parties at length.

8. As a matter of fact most of the chain of events stands admitted by both the parties and, thus, primarily it is a question of their construction, interpretation and appreciation. The appointment letter Ex. M2 shows that the Workman was initially appointed for a specific period of three months on purely temporary basis w.e.f. 12-10-1978; this appointment continued even after the expiry of the fixed tenure up to 20-12-1979 as conceded in para No. 2 in the affidavit Ex. M1 of the management's witness G. L. Arora, But immediately after such retrenchment on 21-12-1979 the petitioner was re-employed for the period upto 31-1-1980 per Order Ex. M4. This employment continued upto April 1980 per Respondent's admission vide para No. 4 in the affidavit Ex. M1 of the aforementioned witness G. L. Arora. Surprisingly enough, shortly after the consequent termination the petitioner was given extension of 99 days by way of re-employment w.e.f. 28-4-1980 and even after the expiry of this tenure he was re-employed for a similar length of time w.e.f. 20-9-1980 as conceded in paras No. 4 and 5 the affidavit, Ex. M1 sworn in by the aforesaid G. L. Arora. From the same date it further appears that the employment continue upto 31-5-1981 when it was terminated on 10 days' notice under the impugned order.

9. Thus entire sequence is clearly indicative of the fact that the petitioner's service was a continuous affair w.e.f. 12-10-1978 till 31-5-1981 within the purview of Section 25-B so as to entitle him for all the benefits envisaged under Section 25-F, including one month's notice and retrenchment compensation.

10. According to the management, the last notice of 10 days duration, resulting in the impugned termination w.e.f. 1-6-1981 had the sanctity of the Certified Standing Orders and that the Workman was not entitled for any retrenchment compensation because of his own admission, during the course of cross-examination, that he was employed in the cadre strength of Bhakra Gangawal 3rd Circuit which is now in the process of closing down on completion.

11. I am not impressed with the effort of the learned representative of the management because he appears to have lost sight of the over riding effect of the provisions of Section 25-J of the Industrial Disputes Act. Moreover, there is no categorical admission of closing down or completion of the Project, rather the petitioner's statement as well as the respondent's own documents, referred herein before, clearly indicate that he had throughout been working on the post of T. Mate/Chowkidar. In my considered opinion, he therefore, required one month's (not 10 days) notice before the impugned termination in addition to the retrenchment compensation.

12. However, even if one were to assume the closure of completion of the Respondent's Project so as to invite the exemption clause of Section 25 FFF, the impugned termination must fail on yet another legal touch-stone, because the petitioner's averment in his claim statement as well as the affidavit Ex. W1 that atleast four of his juniors viz. Mathura

Dass son of Gurn Lal; Balbir Singh son of Bachan Singh, Naresh Kumar son of Madan Lal and Gurdial Singh son of Bagga Singh were retained in service even after his retrenchment, and that 3 others persons carrying the names of Jaspal Singh, Mukesh Kumar and Karnail Singh were employed after his retrenchment on similar posts of T. Mate/Chowkidar, was not specifically controverted. So much so that even a suggestion to the contrary was not floated to him when he entered the witness box to face the acid test of cross-examination.

13. On the other hand, in his cross-examination the respondent's witness G. L. Arora admitted the recruitment of Mathura Dass, Balbir Singh, Naresh Kumar and Gurdial Singh in Feb. 1981. One, therefore, can not resist the inference that their retention in service was clearly violative of the time-honoured convention of 'Last come first go' and should adversely affect the impugned retrenchment by virtue of Section 25-G, because none of them was shown to be possessing any extra educational or professional qualification; much the less, efficiency or skill etc.

14. Thus to sum up my aforesaid discussion, I find no justification in the impugned termination of the petitioner's services and, as such, return the Award in his favour with the direction that he shall be deemed to be in continuous service with all the attendant benefits.

Chandigarh.  
Dated.—8-12-1983.  
8-12-1983.

Sd/-

I. P. VASISHTH, Presiding Officer,  
Central Govt Industrial Tribunal, Chandigarh

[No. L-42012(2)/82-D.II(B)]

### ORDER

S.O. 67.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh, in the industrial dispute between the employers in relation to the management of Bhakra Beas Management Board and their workman, which was received by the Central Government on the 13th December, 1983.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
CHANDIGARH.

Case No. I.D. 76/83/117 of 1983

### PARTIES :

Employers in relation to the management of the Bhakra Beas Management Board Nangal Township-Punjab.

### AND

Their Workman.—Shri Pal Singh.

### APPEARANCES :

For the Employers.—Shri R. L. Kaith.

For the Workman.—Shri R. K. Singh.

Bhakra Beas Management Board Nangal; State-Punjab

### AWARD

Dated the 5th of December, 1983

The Central Govt. Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947 hereinafter referred to as the Act, vide their Order No. L-42012(3)/82-D. II(B) dated the 25th of November, 1982 read with S. O. No. S-11025(2)/

83 dated the 8th of June, 1983 referred the following dispute to this Tribunal for adjudication :—

"Whether the action of the Management of Bhakra Beas Management Board in terminating the services of Shri Sat Pal Singh, T. Mate/Chowkidar with effect from 1-6-1981 is justified? If not, to what relief the workman is entitled?"

2. According to the petitioner/Workman he was appointed as a T. Mate on Workcharge basis by the respondent/Management under the Resident Engineer Gangawal and Kotli Power Houses w.e.f. 13-10-1978 and he remained employed there till 31-5-1981 when his services were terminated on 10 days notice. During this period there were some formal breaks as he worked in the capacity of a Chowkidar on daily basis w.e.f. 28-4-1980 to 31-7-1980, again w.e.f. 1-8-1980 to 31-8-1980 and then w.e.f. 1-9-80 till 31-5-1981. Thus he had an almost continuous spell of service from 13-10-1978 to 31-5-81.

3. The Petitioner/Workman questioned the propriety and legality of his retrenchment on the avertment that it was in violation of the provisions of Section 25F(a) and (b) of the Act, because he was neither given one month's notice nor salary in lieu thereof, and the benefit of retrenchment compensation was also denied to him. It was propounded that a number of his juniors were retained in service on the whim of pick and choose and even after his termination a number of raw hands were recruited from the open market without providing him an opportunity of employment. He, therefore, raised an Industrial Dispute which could not be settled amicably and hence the reference.

4. Resisting the claim-petition on all conceivable count, the Respondent management questioned the propriety and maintainability of the Reference on the ground that it was bad for mis-joinder and non-joinder of the necessary parties and that there was no dispute to call for a judicial adjudication. On the point of fact it was projected that the petitioner was employed as a workcharge T. Mate for a specific period of three months for the construction of Bhakra Gangawal 3rd circuit w.e.f. 13-10-1978 and his term of employment was extended till 20-12-1979 when the termination was effected on one month's notice; however, the petitioner was re-employed w.e.f. 22-12-1979 for completion of some left-over work and discharged in April 1980 on ten day's notice as required under the Certified Standing Orders. Later on he was appointed as a contingent T. Mate against a job of purely temporary nature concerning civil work upto 30-6-1980 and enrolled again as Chowkidar on 10-9-1980 so as to continue up to the impugned termination on 31-5-1981.

5. For the obvious reasons, the management justified their action in terminating the petitioners services and denied the violation of the provisions of Section 25-F(a) and (b), 25-G and 25-H of the Act with the explanation that no less than 375 similarly placed Workman were retrenched along with petitioner on closing down of the specific work for which they were employed. It was vehemently denied that any person junior to him was retained in service or that any fresher was given employment after his termination.

6. In the light of the aforesaid pleadings, over and above the terms of Reference as disclosed in the earlier part of the instant Award, the following additional issue was also framed.

1. Whether the reference is legally infirm and incompetent as alleged?

7. To support of his case, the petitioner felt contended with his own deposition whereas the respondent/management filed a number of documents besides examining their S.D.O. Shri G. L. Arora. I have carefully perused the entire material on records and heard the parties at length.

8. As a matter of fact most of the chain of events stands admitted by both the parties and, thus, primarily it is a



question of their construction, interpretation and appreciation. The appointment letter Ex. M2 shows that the Workman was initially appointed for a specific period of three months on purely temporary basis w.e.f. 13-10-1978. If this appointment continued even after the expiry of the fixed tenure up to 20-12-1979 as conceded in para No. 2 in the affidavit Ex. M1 of the management's witness G. L. Arora. But immediately after such retrenchment on 20-12-79 the petitioner was re-employed for the period up to 31-1-1980 per Order Ex. M-4. This employment continued upto April 1980 per Respondent's admission vide para No. 4 in the affidavit Ex. M3 of the aforementioned witness G. L. Arora. Surprisingly enough, shortly after the consequent termination the petitioner was given an extension of 89 days by way of re-employment w.e.f. 28-4-1980 per order Ex. M6 and even after the expiry of this tenure he was re-employed for a similar length of time w.e.f. 9-9-1980 per order Ex. M8 as conceded in para No. 6 of the affidavit Ex. M1 sworn in by the aforesaid G. L. Arora. From the same date it further appears that the employment continued upto 31-5-81 when it was terminated on 10 day's notice under the impugned order.

9. Thus the entire sequence is clearly indicative of the fact that the petitioner's service was a continuous affair w.e.f. 13-10-1978 till 31-5-1981 within the perview of Section 25-B so as to entitle him for all the benefits envisaged under Section 25-F, including one month's notice and retrenchment compensation.

10. According to the management the last notice of 10 days duration, resulting in the impugned termination w.e.f. 1-6-81 had the sanctity of the Certified Standing Orders and that the Workman was not entitled for any retrenchment compensation because of his own admission, during the course of cross-examination that he was employed on the cadre strength of Bhakra Gangawal 3rd Circuit which is now in the process of closed down on completion.

11. I am not impressed with the effort of the learned representative of the management because he appears to have lost sight of the over riding effect of the provisions of Section 25-J of the Industrial Disputes Act. Moreover, there is no categorical admission of closing down or completion of the Project, rather the petitioner's statement as well as the respondent's own documents, referred herein before, clearly indicate that he had throughout been working on the post of T. Mate/Chowkidar. In my considered opinion, he, therefore, required one month's (not 10 days) notice before the impugned termination in addition to the retrenchment compensation.

12. However, even if one were to assume the closure or completion of the Respondent's Project so as to invite the exemption clause of Section 25 FFF, the impugned termination must fail in yet another legal touch stone, because the petitioner's averment in his claim statement as well as the affidavit Ex. W1 that at least four of his juniors viz. Mathura Dass son of Guru Lal; Balbir Singh son of Bachan Singh; Naresh Kumar Son of Madan Lal and Gurdial Singh Son of Bagga Singh were retained in service even after his retrenchment, and that 3 other persons carrying the names of Jaspal Singh, Mukesh Kumar and Karnail Singh were employed after his retrenchment on similar posts of T. Mate/Chowkidar, was not specifically controverted. So much so that even a suggestion to the contrary was not floated to him when he entered the witness box to face the acid test of cross-examination.

13. On the other hand, in his cross-examination to respondent's witness G. L. Arora admitted the recruitment of Mathura Dass, Balbir Singh, Naresh Kumar and Gurdial Singh in Feb. 1981. One, therefore, can not resist the inference that their retention in service was clearly violative of the time honoured convention of 'Last come first go' and should adversely effect the impugned retrenchment by virtue of Section 25-G, because none of them was shown to be possessing any extra educational or professional qualification, much the less, efficiency or skill etc.

1208 GI/83—6

14. Thus to sum up my aforesaid discussion, I find no justification in the impugned termination of the petitioner's services and, as such, return the Award in his favour with the direction that he shall be deemed to be in continuous service with all the attendant benefits.

Chandigarh.

8-12-1983

I. P. VASISHTH, Presiding Officer

[No. L-42012(3)/82-DII(B)]

New Delhi, the 30th December, 1983

S.O. 68.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, in the industrial dispute between the employers in relation to the management of Exploratory Fisheries Project, Visakhapatnam and their workmen, which was received by the Central Government on the 11th December, 1983.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT :

Sri M. Srinivasa Rao, M.A., LL.B., Industrial Tribunal.  
Industrial Dispute No. 21 of 1983

BETWEEN

The Workmen of Exploratory Fisheries Project, Visakhapatnam.

AND

The Management of Exploratory Fisheries Project, Visakhapatnam.

APPEARANCES :

None.

AWARD

The Government of India by its Order No. L-42012(41)/82-DII(B) dated 16-9-1983 referred the following dispute under Sections 2A and 10(1)(d) of the Industrial Disputes Act, 1947 between the Management of Exploratory Fisheries Project, Visakhapatnam and its workmen to this Tribunal for adjudication :—

"Whether the action of the management of Exploratory Fisheries Project Visakhapatnam in ignoring the claim of Shri Ch. Potanna for regularisation in the post of Net Mender is justified? If not to what relief is he entitled and from what date?

2. Notice was issued to the Workmen calling upon the workmen to file claims statement. In spite of service of that notice, the workmen remained absent. On 28-10-1983 final notice was again ordered to be issued to the parties and the matter is posted to this day. It is noticed that this final notice was also received by the parties, yet the workmen are remaining absent. As the workmen are called absent in spite of service of notice and as there is no representation for claim statement on their behalf, with reluctance they are set exparte. As no claims statement is there and no material is placed by the workmen in support of their claim, it has to be held that it is not made out that the workmen concerned is entitled to any relief. It is therefore held that the workmen is not entitled to any relief.

Award passed accordingly.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 18th day of November, 1983.

M. SRINIWASA RAO, Presiding Officer  
Industrial Tribunal

[No. L-42012(41)/82-D.II(B)]

T. B. SITARAMAN, Desk Officer.

New Delhi, the 28th December, 1983

S.O. 69.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Tuticorin Port Trust, Tuticorin and their workmen, which was received by the Central Government on the 12th December, 1983.

BEFORE THIRU T. ARULRAJ, B.A., B.L.,  
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL TAMIL  
NADU MADRAS

(Constituted by the Government of India)

Wednesday, the 30th day of November, 1983

INDUSTRIAL DISPUTE NO. 87 OF 1981

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Tuticorin Port Trust, Tuticorin.)

BETWEEN

The workmen represented by  
The Secretary,  
Tuticorin Port Trust Democratic  
Staff Union, Tuticorin-628004.

AND

The Chairman, Tuticorin Port Trust,  
Tuticorin.

REFERENCE :

Order No. L-44012(1)/81-D.IV.A. dated 9th December, 1981 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Monday, the 7th day of November, 1983 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru R. Arumugham, Advocate for the workmen and of Thiru S. Krishnan, Advocate for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following award.

**AWARD**

This dispute, arising out of reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-44012(1)/81-D.IV.A. dated 9-12-1981 of the Ministry of Labour is to declare the seniority of one Shri M. Murugan over two others above him.

(2) According to the allegations in the claim statement and also rejoinder statement, Sri M. Murugan was appointed as Turner on 23-12-1965 on the time scale of pay of Rs. 95-3-110-131 and ever since his appointment, he was working as Turner in H.M.T. lathe erected in 1964. It is not correct to say that he was appointed as Skilled Mazdoor inadvertently. He had unblemished record of service as certified by the then Executive Engineer, Mechanical Division, Harbour Project dated, 28-2-1969, and Assistant Engineer (Workshop) in the certificate dated 11-5-1973. When some lathe were erected in subsequent years, Sri P. Chelliah and Sri Amaladoss Moraise were appointed as Turners only on 1-10-1969. Previously, they were appointed only as Skilled Mazdoors and were engaged in the Road and Public Health civil works. As Turner therefore Sri M. Murugan is senior to both of them. However, he was placed in the third rank below them and revised pay was paid at Rs. 110-135-4-155. It is incorrect to say that there was no sanctioned post of Turners. Fitters, Mechanics etc. between 23-12-1965 and 1-10-1969 and persons required as Fitters and Turners were all appointed only as Skilled Mazdoors and Sri M. Murugan was also appointed only as Skilled Mazdoor and it is only after the trade test by Trade Test Committee, he was appointed as Turner from 1-10-1969. He was never called for any such trade test before any Trade Test Committee and as usual he continued to be only Turner. It is wrong therefore that he should be placed third in rank below

the other two persons without taking consideration or reckoning his services as Turner before they were appointed as Turners on 1-10-1969. It is only in 1976, when seniority list was published, he found that his rank is third. He protested against his being placed in third rank by letter dated 3-2-1976, but it was rejected without assigning any reasons on 27-8-1976. Even his appeal to the Chief Engineer on 22-12-1977 met with the same fate by letter dated 9-2-1978. It is therefore necessary to raise this dispute for placing him in the first rank above the two persons.

3. The Respondent, in its counter statement, contends that when construction of harbour project was started between 1964 and 1965, the field employees and workers were recruited as temporary mazdoors, head mazdoor and skilled mazdoors under the work charged establishment. There was no approved recruitment rules for various categories, prescribing any definite qualifications, time scales of pay etc. Hence, workers required for the trades of Turner, Fitter, Blacksmith, Carpenter, Painter, Welder, Driver etc., were appointed as Skilled Mazdoors, as these posts were not sanctioned then as per letter dated 16-12-1965 of the then Chief Engineer and Administrator. However, inadvertently, the Executive Engineer has issued appointment order to Sri M. Murugan, appointing him as Turner instead of Skilled Mazdoor, though in the said orders there is no variance in the conditions of service of turners as well as Skilled Mazdoor (Turner) and pay of Rs. 95 per mensem, equally applied to all Skilled Mazdoors appointed by others also as well as turners appointed by this particular Executive Engineer. In fact he has equally appointed several other persons as Assistant Mechanic/Fitter though they are also skilled Mazdoors in the same scale of pay. In fact, Sri Murugan has been described as Skilled Mazdoor in the pay bills, service register and even in festival advance bill. He never protested against this description. In fact, Sri M. Murugan never worked as Turner before other two persons, namely Sri P. Chelliah and Amaladoss Moraise who were also appointed as Skilled Mazdoors on 2-3-1965 and 2-7-1965 respectively. One Sri Gopalakrishnan, Skilled Mazdoor was working on the lathe erected in 1964 at the time of the appointment of Sri M. Murugan. Later, two more lathes were procured in February, 1966, one of which was erected at Ambasamudram Quarry and another at Port Workshop. Sri P. Chelliah who has passed I.T.I. Turner examination was then sent to Ambasamudram Quarry in February, 1966 for operation on the said lathe, the other lathe was operated upon by Sri M. Murugan and Sri Amaladoss Moraise at Port. Sri Gopalakrishnan resigned in 1967-68 and then only Sri Murugan and Sri Amaladoss Moraise were separately appointed to work in the Lathes. Hence both Sri Murugan and Sri Amaladoss Moraise and also Sri Chelliah were engaged as Turners only from 1966 onwards and not earlier. It is only in October, 1969, a trade test was conducted by the Trade Test Committee and when all the trades were categorised, all the three persons were appointed as Turners with effect from 1-10-1969 copy of the order has been circulated to all the individuals and arrears of claim from 1-10-1969 in the scale of pay of Rs. 110 per mensem had been also paid to Sri Murugan. Even then he did not protest. Seniority was taken according to the period of service from the first enrolment and as Sri Chelliah and Sri Amaladoss Moraise were recruited before Sri M. Murugan, they were placed seniors to him. Seniority list under these circumstances is correct.

(4) The points for determination in this case will be:

(1) Whether the order of seniority placing Shri M. Murugan in the third rank below Sri P. Chelliah and Sri Amaladoss Moraise is correct; and

(2) what relief are the parties entitled to?

(5) Point No. 1 : W.W.1 Sri M. Murugan admits that Sri P. Chelliah and Amaladoss Moraise were appointed as Skilled Mazdoors on 2-3-1965 and 24-7-1965 respectively, and his scale of pay as well as the pay of the Skilled Mazdoors appointed by the Respondent-Establishment carry equally the pay scale of Rs. 95-3-110-131. But, however, he will state that he was appointed straightaway as Turner on 23-12-1965 under Ex. W-1 and as seen from Ex. W-3, he has been working as Turner throughout whereas Sri P. Chelliah and Sri Amaladoss Moraise were appointed as Turners only from 1-10-1969. According to him therefore even though they might have been appointed earlier as he has been appointed as Turner earlier than the other two, he is senior to them as

Turner. When he in fact under Ex. W-4, protested against their being placed over him, which he came to know only on 3-2-1976, the Respondent refixed his seniority under Ex. W-6 over them, though however, his protest was rejected under Ex. W-5 and his further petition Ex. W-7 was again rejected under Ex. W-8. He denies that at any time in October, he was called for any trade test and he has been appointed as Turner only from 1-10-1969. W.W.2 Sri Babuji Kathnasamy was working as Foreman in the field workshop from March, 1965 to May, 1970. Turners, Fitters, Welders, Blacksmiths, Tinkers, Painters and Upholsters are all working under him. According to him, W.W.1 Sri M. Murugan was working from the end of 1965 as Turner in his workshop and he never worked as Skilled Mazdoor. According to him, Skilled Mazdoor can do any work, but Turner can work only in the lathe. Sri Amaladoss Moraise, according to him, was working as Skilled Mazdoor Fitter, though he does not know when he joined service. According to him, it may be in 1966. Since Sri M. Murugan was always working as Turner, he was not given any trade test, and since Sri Amaladoss Moraise wanted to become Turner from Skilled Mazdoor Fitter post he was given trade test. Since both Sri Amaladoss Moraise and Sri P. Chelliah became Turners and working in the lathe after Sri M. Murugan, Sri Murugan alone is senior to them. He however admits that except Sri Murugan, others appointed in various categories were working only as Skilled Mazdoors and one Sri Gopalakrishnan who was operating the lathe and was working as Turner was appointed only as Skilled Mazdoor. However, in re-examination he states, as there was lot of work on the lathe, Sri Murugan was appointed as additional Turner at his request. M.W.1 Sri S. Paramasivan, Assistant Engineer, Port Trust, Tuticorin is working in the Port from 1963. According to him, there was no sanctioned post for the categories of Turners, Fitters, Blacksmiths, Carpenters, Painters and Welders when the Project work of the Port commenced from 1964. The then Chief Engineer and Administrator issued an order Ex. M-11 for recruitment of persons for the posts mentioned therein but however, the category of persons mentioned therein were directly recruited as Skilled Mazdoors. In pursuance of E. M-11, Executive Engineer in the filed issued orders of appointment but however Sri L. Venkat Narasimhan, Executive Engineer, Harbour Division issued an order Ex. W-1 inadvertently appointing Sri Murugan as Turner instead of Skilled Mazdoor. The same mistake he has also committed when he has equally issued orders under Exs. M-12 to M-15, mentioning the categories instead of mentioning as Skilled Mazdoors. The appointees under Exs. M-12 to M-15 are all only skilled mazdoors and they have taken only as such and they have not raised any dispute. Equally, Sri P. Chelliah and Sri Amaladoss Moraise were appointed under Exs. M-16 and M-17 on 16-2-1965 and 15-7-1965 respectively only as Skilled Mazdoors. W.W.1 Sri Murugan immediately joining service was working in the field machinery yard and later in workshop. Service Registers have been maintained for all appointees including W.W.1 and they are termed as Skilled Mazdoors. When W.W.1 joined service there was only one lathe and Sri Gopalakrishnan was working in the said lathe as Skilled Mazdoor, not as Turner. It is only in February, 1966, two more lathes were processed, one was sent to Ambasamudram and another to Harbour Workshop. The said Sri Chelliah was incharge of the lathe at Ambasamudram as Skilled Mazdoor and second lathe in Tuticorin was operated by Sri Amaladoss Moraise and W.W.1. In November, 1968, seniority list of skilled mazdoors were prepared under Ex. M-3 and the seniority list was put on the notice board to all persons concerned by affixture on the notice board. In 1969 the skilled mazdoors were regularised in various trades by conducting a trade test. The skilled mazdoors in various trades were trade tested by the Trade Test Committee. W.W.1 also appeared before the said Committee and he was regularised as Turner by such Committee with effect from 1-10-1969. Equally, Sri P. Chelliah and Sri Amaladoss Moraise have been also regularised as Turners with effect from 1-10-1969. The seniority has been fixed according to the date of first appointment as skilled mazdoors and as Sri P. Chelliah and Sri Amaladoss Moraise have been appointed earlier than Sri Murugan they have been made seniors to the said Sri M. Murugan.

(6) It is not disputed that Sri P. Chelliah and Sri Amaladoss Moraise have been appointed no doubt as Skilled Mazdoor under Exs. M-16 and M-17 on 16-2-1965 and 15-7-1965 respectively, earlier than W.W.1 Sri Murugan was 1208 GI/83-7

appointed under Ex. W-1 dated 22-12-1965. Of course, W.W.1 may not know that the same Executive Engineer Sri Venkatanarasimhan has also appointed several other persons, like Sri K. Peter, Sri K. Vadivelu, Sri P. Srinivasan, Sri M. Narayanan and Sri A. Deenadayalan for the posts of Assistant Mechanic, Fitter and Welder-cum-Fitter under Exs. M-12 to M-15 on the same day as Ex. W-1, order of appointing Sri Murugan as Turner. It is a case of the Mazdoors and Head Mazdoors in various trades. Of course, gory or made, persons may be appointed under Exs. M-12 to M-15 and also Ex. W-1, they were also appointed only as Skilled Mazdoors as Sri P. Chelliah and Amaladoss Moraise were appointed under Exs. M-16 and M-17 and by inadvertence Sri Venkatanarasimhan, Executive Engineer has issued order of appointment specifying the trade instead of simply appointing them also as Skilled Mazdoors, as according to him, there was no sanctioned post of any category and all were appointed only as Mazdoors, Skilled Mazdoors and Head Mazdoors in various trades. Of course, Ex. M-11, dated 16-12-1965, it is not clearly stated that all persons in various trades must be selected only as Mazdoors, Skilled Mazdoors and Head Mazdoors, but however, it is seen therefrom, one Sri Deenadayalan recruited against vacancies of Turner or Fitter is only appointed as Skilled Mazdoor by the Chief Engineer and Administrator, Tuticorin Harbour Project, Tuticorin. From that it is clear as contended by Sri S. Krishnan, learned counsel for the Management there was no appointment for any trade specifically and all those persons who are intended to be fitted in various trades were appointed only as Skilled Mazdoors as in the case of Sri P. Chelliah and Sri Amaladoss Moraise under Exs. M-16 and M-17 and it is only by mistake or inadvertence, the Executive Engineer Sri Venkatanarasimhan has issued Ex. W-1 as Ex. M-12 to M-15 appointing W.W.1 Sri M. Murugan as Turner while it should be that he is appointed only as Skilled Mazdoor. In fact, as admitted by W.W.1, the scale of pay with which all appointees under Exs. M-12 to M-17 and also W.W.1 was started only in the same pay scale of Rs. 95-3-110-3-131, the pay that Skilled Mazdoors carry, and the appointment orders including date of W.W.1 under Ex. W-1 contain the same conditions of service as Skilled Mazdoors as in M-15 and M-16, under which Sri P. Chelliah and Sri Amaladoss Moraise were appointed as Skilled Mazdoors. Long before contemplation of this dispute in Ex. M-4, Service Register of Sri M. Murugan, it is entered that he joined as Skilled Mazdoor (Turner) on 23-12-1965, as it is entered in the service registers Exs. M-19 and M-20 of Sri P. Chelliah and Sri Amaladoss Moraise as Skilled Mazdoors. They have been regular pay bills, Ex. M-5 and Ex. M-6 in which he has been invariably described as Skilled Mazdoor and he never protested against this classification. On the other hand, he has himself admitted under Ex. M-8 dated 2-5-1966 when he gave joining report describing himself as Skilled Mazdoor. He applied for festival advance under Ex. M-10 dated 25-10-1969 and he had described himself as Skilled Mazdoor. Of course, he may now state that he does not know English, but he has not stated who wrote these applications and why should they write as Skilled Mazdoor while in fact he is only appointed and working as Turner. It is only a lame, excuse invented for this purpose when he states that he is not the author of the description contained in Exs. M-8 and M-10 though he has signed the same.

(7) There are also other reasons to show that to his knowledge, W.W.1 was appointed only as Skilled Mazdoor and he never worked as Turner before 1966. It is admitted by W.W.1 and also W.W.2 that at the time when W.W.1 was appointed, there was only one lathe and one Sri Gopalakrishnan was operating upon one lathe, only a Turner can operate upon the lathe. Still, the said Sri Gopalakrishnan as admitted by W.W.2 was working only as Skilled Mazdoor. Apart from that when Sri Gopalakrishnan was working upon this lathe, it is unlikely that Sri M. Murugan who has no other qualification than mere 7th Standard, could be entrusted with operation of the lathe either independently or additionally with Sri Gopalakrishnan when Sri P. Chelliah who is a diploma holder of Turner admittedly was available to work on the lathe. W.W.2 therefore could not be believed when he states that at his request W.W.1 was put

in additional charge of the lathe as Turner. Of course, he is also aggrieved against the Management, as admitted by him and it is likely, he will try to support anybody, opposed to the Management, even though the facts admitted by him as stated above will not help him or W.W.1 on his interested evidence, which is conflicting with the admitted facts, could be acted upon and as stated by M.W.1 therefore W.W.1 could not have been put in charge of any lathe till 1966, when two more lathes were made available and when all the three persons, viz., Sri P. Chelliah, Sri Amaladoss Moraise and W.W.1 were entrusted with the lathes to operate upon not as turners but as skilled mazdoors as stated by M.W.1. There is no provocation for W.W.1 to obtain Exs. W-2 and W-3, certificates with the effect that he has been appointed as Turner and was working throughout ever since the date of his appointment. They should have been obtained only from persons, just for the purpose of this case and they cannot carry any truth in the fact of these hard facts, as stated above.

(8) W.W.1 cannot be also believed when he states that he was not called for trade test as he is already working as Turner and what was done by payment of Rs 110 is only revision of scale of his pay as Turner and not as fresh scale of pay on his appointment as Turner for the first time on 1-10-1969. Of course, interview cards like Ex. M-2 have been sent to various Skilled Mazdoors working in various trades and under Ex. M-1, signed by Sri M. Murugan, as admitted by him, a copy of this card must have been also served on him, though he denies the same. It appears therefore that W.W.1 was also called for trade test and in the trade test only for the first time along with Sri P. Chelliah and Sri Amaladoss Moraise, he has been appointed as Turner with effect from 1-10-1969. It is because he is conscious of it, that he has received arrears of pay between his pay at Rs. 104 then he was drawing and the scale of pay of Rs. 110 per mensem from 1-10-1969 under Ex. M-18, the pay bill, under his signature. To his knowledge and admission therefore, he has been appointed only as Skilled Mazdoor and it is only on his selection by Trade Test Committee as Turner along with Sri P. Chelliah and Sri Amaladoss Moraise with effect from 1-10-1969 that he is regularised as Turner along with Sri P. Chelliah and Sri Amaladoss Moraise. As he has joined originally much later than Sri P. Chelliah and Sri Amaladoss Moraise as Skilled Mazdoor, he has been rightly ranked below them, reckoning the period of service rendered by him. I do not think under these circumstances, W.W.1 can have any grievance to be placed third below them. He is not therefore entitled to any relief in this dispute. This point I find against the Petitioner.

(9) Point No. 2.—In the result, an award is passed holding that the Petitioner Sri M. Murugan is not entitled to any relief of placing him above Sri P. Chelliah and Sri Amaladoss Moraise in rank. There will be no order as to costs.

Dated, this 30th day of November, 1983.

T. ARULRAJ

#### WITNESSES EXAMINED

##### For workmen

W.W. 1—Thiru M. Murugan.

W.W. 2—Thiru Babuji Rathnasamy.

##### For Management

M.W. 1—Thiru S. Paramasivan.

#### EXHIBITS MARKED

##### For workmen

W-1/22-12-65—Appointment order issued to W.W.1 by the Executive Engineer/Harbour Division.

W-2/28-2-69—Certificate issued by the Executive Engineer to W.W.1.

W-3/11-5-73—Certificate issued by Assistant Engineer to W.W.1.

W-4/4-3-76—Letter from W.W.1 to the Management.

W-5/8-4-76—Office order regarding declaration of semi permanency III Batch.

W-6/27-8-76—Letter from the Management to W.W.1, Turner

W-7/22-12-77—Letter from W.W.1 to the Chief Engineer, of the Management.

W-8/9-2-78—Reply issued by the Management to Ex. W-7.

W-9/18-2-81—Minute of discussion dated 18-2-81.

W-10/6-4-81—Conciliation failure report from the Asst. Labour Commissioner Central/II, Madras-6.

W-11/27-9-65—Certificate issued by Raja Rajeswari Engineering Works, Palayamcottai to Thiru M. Murugan (W.W. 1).

##### For Management

M-1—Acknowledgement received from W.W. 1 and others for the interview card on 13-9-1969.

M-2/11-9-69—Memo issued by the Executive Engineer/Mechanical Divisions, Harbour Project to Thiru Aiyamperumal Asari for the trade test.

M-3—Seniority list.

M-4—Service Register of W.W. 1.

M-5—Signature of W.W. 1 for the salary received in the month of August, 1969.

M-6/31-7-68—Proceedings of the Executive Engineer sanctioning increment to W.W. 1 and other employees.

M-7/5-11-69—Festival advance for Deepavali sanction order to the employees.

M-8/2-5-66—Joining report given by W.W. 1.

M-9—Selection list issued by the Management to W.W. 1 and others.

M-10—Application submitted by W.W. 1 for Deepavali festival advance.

M-11/16-12-65—Letter from the Chief Engineer (Administration) regarding additional staff for cranes.

M-12/22-12-65—Appointment order issued by the Executive Engineer to Thiruvalargal R. Peter and K. Vadivelu as Assistant Mechanic.

M-13/22-12-65—Appointment order issued by the Executive Engineer to Thiru P. Srinivasan as Asst. Mechanic.

M-14/22-12-65—Appointment order issued by the Executive Engineer to Thiru M. Narayanan for the post of Fitter. (Cranes).

M-15/22-12-65—Appointment Order of Thiru A. Deenadayalan as Welder-cum-Fitter.

M-16/16-2-65—Appointment order of Thiru P. Chelliah.

M-17/15-7-65—Appointment order of Thiru P. Amaladoss Moraise as Skilled Mazdoor.

M-18—Pay bill of work charged establishment for the month of October, 1969.

M-19—Service Register of Thiru Chelliah.

M-20—Service Register of Amaladoss.

T. ARULRAJ, Presiding Officer

[No. L-44012/1/81/D.IV.A.]

S. S. PRASHER, Desk Officer-IV.A.

New Delhi, the 29th December, 1983

S.O. 70.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Kothagudem and their workmen, which was received by the Central Government on the 13th December, 1983.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)  
AT HYDERABAD

Industrial Dispute No. 25 of 1981

BETWEEN

The Workmen of Singareni Collieries Company Limited,  
Bellampalli (P.O.), Adilabad District.

AND

The Management of Singareni Collieries Company Ltd.,  
Bellampalli (P.O.), Adilabad District.

APPEARANCES :

Sri B. Ganga Ram, Chief Vice President, Singareni Collieries Workers Union—for the Workmen.

Shri K. Srinivasa Murthy and Miss G. Sudha, Advocates—for the Management.

AWARD

The Government of India by its Order No. L-21012(4)/81-D.IV(B), dt. 16-10-1981 referred the following dispute between the Management of Singareni Collieries Company Limited, Bellampalli, P.O., Adilabad District and their workmen under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication :

"Whether the management of M/s. Singareni Collieries Co. Ltd., is justified in not taking the past services into consideration for fixing the basic pay of Shri Nulingonda Posham, Short-Firer, Somagundam No. 3 Incline, Bellampalli Division II on this reappointment with effect from 3-10-1980 ? If not, to what relief the workman is entitled ?"

2. A claims statement has been filed on behalf of the Workmen while the Management filed its counter in 1981 itself. Since then the matter has under went number of adjournments. On 19-8-1983 it was noticed that both parties were called absent and fresh notices were ordered to be issued. On the next day of hearing i.e. 15-9-1983 the Management was represented but Petition was filed on behalf of the Workmen for adjournment and the matter was adjourned till 11-10-1982. On 11-10-1983 the workman and his representative was called absent and again final notice was ordered to be issued to them. On the next date of adjournment i.e. this day, it is noticed that the representative of the workman was served with notice. While the Management is ready, the workman and his representative are called absent on this day also. As they are remaining ex-parte inspite of service of notice once again and as this is on old matter and as it is noticed that the workman is not taking interest in the matter and is not prosecuting it and as there is no other go the workman is set exparte.

3. As there is no material in support of the claim of the workman and as the workman is set exparte it has to be held that the claim on behalf of the workman is not proved and the workman is therefore not entitled to any relief in this matter.

Award passed in these terms.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 5th day of November, 1983.

M. SRINIVASA RAO, Presiding Officer  
Industrial Tribunal.

[No. L-21012(4)/81-D.IV(B)]

New Delhi, the 29th December, 1983

S.O. 71.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, and their workmen, which was received by the Central Government on the 13th December, 1983.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)  
AT HYDERABAD

PRESENT :

Sri M. Srinivasa Rao, M.A., LL.B., Industrial Tribunal.

Industrial Dispute No. 27 of 1981

BETWEEN

The Workmen of Singareni Collieries Company Limited,  
Kothagudem.

AND

The Management of Singareni Collieries Company Limited,  
Kothagudem.

APPEARANCES :

Sri N. Sesha hari, Advocate—for the Workmen.

Sri K. Srinivasa Murthy, Advocate—for the Management.

AWARD

The Government of India by its Order No. L-21011(8)/81-D.IV(B), dated 31-10-1981 referred the following dispute between the Management of Singareni Collieries Company Limited, Kothagudem and their Workmen, under Section 7A and 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication.

"Is the management of S.C. Co. Ltd. are justified in placing S/Shri M. Sammaiah, Gulam Dustagiri, B. Madhusudhana Rao and Hari Singh, EOT Crane Drivers/Operators in Category-IV vis-a-vis Shri P. Sathanarayana, EOT Crane Drivers/Operators who is placed in category V, If not, to what relief are these four employees are entitled ?"

2. Though the claim statement and counter have been filed in this matter in the beginning of 1982 the workman thereafter ceased to take any interest and never reported ready. On 5-8-1983 notices were again ordered to be issued to the parties and though notice was acknowledged by the parties, workman even thereafter never reported ready. On 17-9-1983 Mr. N. Seshachari representative of the workmen stated that inspite of telegram from him the workmen are not turning up and one more adjournment may be given finally to enable him to send a registered letter to the workmen and the final adjournment was given. This day while the Management is ready, the workmen and also the counsel are called absent. This is an old matter. The workmen are not taking any interest in the matter. In these circumstances they are called absent and set exparte. As there is no evidence before this Tribunal in support of the claims of the workmen, it has to be held that the workmen have not made out their claims and therefore they are not entitled to any relief.

Award passed in these terms.

Dictated to the Stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 8th day of November, 1983.

SRI M. SRINIVASA RAO, Presiding Officer  
[No. L-21011/8/81-D.IV(B)]

S.O. 72.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of Surakachhar Colliery and their workmen, which was received by the Central Government on the 13th December, 1983.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(8) of 1982

PARTIES :

Employers in relation to the management of Surakachhar Colliery. P.O. Banki Mongra District Bilaspur (M.P.) and their workman represented through the C.K.K.M.U.P.O. Banki Mongra, District Bilaspur (M.P.)

## APPEARANCES :

For Union—Shri Rambilash Shobhnath.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal DISTRICT : Bilaspur (M.P.)

## AWARD

Dated, the 30th November, 1983

The Central Government in exercise of its powers under Section 10 of the Industrial Disputes Act 1947 referred dispute between the management and its workmen pertaining to supersession of Shri B. Tigga, Dozer Operator-cum-Mechanic. The reference is in following terms :—

“Whether the management of Surakachhar Colliery are justified in superseding Shri B. Tigga, Dozer Operator-cum-Mechanic in the matter of his promotion to the post of Chargeman w.e.f. 26-2-80 ? If not, to what relief is the workman concerned entitled and from what date ?”

2. It is undisputed that B. Tigga is a Mechanic and he is engaged to work as a Dozer Operator in Category VI. On 26-2-1980 a post of Chargeman fell vacant but he was not promoted to that post though he was senior to the workman who had been promoted.

3. The management contends that the post of Chargeman is not in the channel of promotion of the post held by B. Tigga. He cannot therefore be promoted as a Chargeman. He could be promoted as a Dozer Operator Grade I. At present he is a Category VI workman.

4. B. Tigga on the other hand contends that there have been many instances when promotion to the post of Chargeman were made from persons who were fitters and mechanics. He was fully qualified to be promoted as a Chargeman. He is senior in service to the incumbent who has been promoted. He has passed upto VIII standard. He is also passed the Fitter Grade in the I.T.I. He has worked as a Mechanic Gr. II for four years in M.C.D.C. He is doing the work of a Dozer Operator with effect from 15-3-1966. One Shri N. C. Biswas and K. P. R. K. Nair who were much junior fitters were promoted as Chargemen on 26-2-1980 ignoring his claims. Earlier to this certain unqualified persons Cutter, Loader Operators-cum-Mechanic and Auto Fitters had been promoted to the post of Chargeman. He quoted the example of T. D. Singh, M. P. Rao, G. S. Rao, A. K. Mitra, A. K. Biswas. He has therefore been superseded. He wholly denied the contention of the management that he is not in the channel of promotion. The post of Heavy Dozer Operator requires high qualification and he must have a licence for driving heavy vehicle and must have prior experience of driving heavy vehicles. He is also a mechanic. The other persons viz. A. K. Biswas was a Cutter Loader Mechanic Operator-cum-Mechanic in Cat. VI. A. K. Mitra, G. S. Rao, M. P. Rao, T. D. Singh were all mechanical fitters. K. P. R. K. Nair and N. C. Biswas have been promoted to the post of Chargeman from Category VI. The colliery do not have any fixed set up of services nor is divided into specific cadres as denier and dozer operator the promotion to the post of Chargeman. Management have been promoting persons on their own sweetwill to favour persons whom they like. I find force in these contentions of B. Tigga.

5. The matter could have been easily resolved had the management placed before me the specific cadre set up in the Surakachhar Colliery or the cadre scheme on which their case is founded. They have not been able to produce any such material despite their being told to produce the same. The oral evidence produced by them is that of Shri O. P. Meghlani, Personnel Officer, Western Coalfields Ltd. Surakachhar Colliery and he has merely repeated the stand of the Colliery that B. Tigga was working as a Dozer Operator-cum-Mechanic and his promotional post was Dumper Operator I and Senior Dumper Operator Gr. I; that Tigga was working in the Excavation Cadre and not in the Electrical and Mechanical Cadre and therefore he is not in the line of promotion of the post of Chargeman. Persons named by him as having been promoted as Chargeman

inherited from the Electrical and Mechanical Cadre in Cat. VI and thus reaching the next higher promotion post of Chargeman. He however admitted in cross-examination that in Surakachhar Colliery there is no actual working of excavation. There is a project on the surface for sand gathering and there only some excavation is done. One A. K. Mitra he admitted was appointed as a trainee in the Excavation Section in Gr. III. Mitra had a Diploma in Mechanical Engineering from the State Council of Engineering and Technical Education, Government of Bengal. A general vacancy was notified by the Western Coalfields Limited for the post of Overman trainee. Mitra applied for this post and was selected. He was therefore appointed as Foreman trainee. Mitra's case was therefore of a selection from the general market and not a case of promotion. I do not also desire to make a comparative study of the career of the promoted persons.

6. K. P. R. K. Nair was appointed on 20-5-1962 as a Mazdoor. He was then promoted as a Fitter Category IV and then promoted as a Chargeman on 1-3-1981. He belongs to the Electrical Mechanical Cadre of the Colliery.

7. The entire case of the management is that the organisational set up of the mine is divided into cadres which they call as Cadre Scheme. There are two distinct cadres (1) Electrical-Mechanical personnel and the other of Excavations. It is bound to be regulated by a fixed set up which promotion of Electrical-Mechanical personnel and not in the channel of promotion of the personnel working in the Excavation Wing. Tigga being a Dozer Operator-cum-Mechanic is in a cadre in whose channel of promotion a Chargeman would not come. This contention is also supported by Meghlani (MW-1) who is a Personnel Manager of the Mine. Despite the assertion of Meghlani I am not inclined to believe as to the set up being comprised of two cadres nor about the existence of a cadre scheme as pleaded. In an organisation like the present one which is a nationalised mine, it is easy to see that the organisational set up would work in a specific frame work of rules and regulations authorities. It was, therefore, quite easy for the management to place these rules or the constitutional frame work before me. In fact, I had expressly required the learned Counsel for the management to place before me these rules and particularly the Cadre Scheme. The management has not done so. They have not been able to produce anything, not even such documents from which it could be possible to infer the existence of the Cadre Scheme. The assertion of Meghlani howsoever vehement cannot be believed when such scheme was embodied in a code. It was necessary that the code containing the set up was produced before me. Meghlani has admitted that there is generally no excavation done in the mine. Therefore there is hardly any reason to keep a separate cadre for the excavation. Moreover I do not see any justifiable reason why the Mechanical-Electrical or those operating machines, maintaining machines, repairing them, knowing anything about mechanic and their maintenance should be placed in different cadres only because some of them are not working underground. After all the cadre of the mechanical operators wherever they be working would be one whether he is repairing a dumper, maintaining dumper and whether he is operating this machine or that machine would not very much matter. At least the mechanical group of workers would be under one cadre. It may be that the cadre could be divided when the nature of work is of different type as civil engineering would be different from mechanical engineering. But such is not the difference in the work here. Tigga is a highly skilled worker operating on a machine so are also the other workers who have been promoted in preference to him operating on the other machines. The only difference being that he is operating a dumper, the others were handling other types of machines. It is undisputed that he is qualified to handle machine and he has produced the necessary certificate of having passed the examinations. His qualifications are not in dispute. He could undoubtedly handle the machine as ably as he was handling a dumper. His service record is also good. As already stated above why he had not been promoted was because according to the management he does not fall in a cadre in whose channel of promotion post!



of a chargeman lies. Therefore if this theory of cadre scheme is found to be mythical he would be entitled to be promoted as a Chargeman.

8. The job required to be done by the Chargeman is that he should be conversant with the operations and maintenance procedures. He is required to assist the Foreman in carrying out the duties and responsibilities assigned to him (Foreman). Cleaning house-keeping and safety of the men under his charge are also his responsibilities. This is the job descriptions which the promoted man would be required to do and the management had to examine whether the persons promoted would be competent enough to perform these duties. Looking to Tigga's qualifications he can certainly perform these duties. He has adequate experience and is the senior most man having the requisite qualifications. The cadre scheme is merely an after thought and brought about as a pretext for thwarting the claims of a senior mechanical man like Tigga. There is no cadre set up as have been claimed by the management much less the division in the mechanical operators, mechanical and electrical personnels of the mine. The Cadre Scheme exists only in the mines of the management and it has not been proved to be governing the set up of the workers in the mine. There does not appear to be any justification for dividing the various mechanical workers into two cadres. However, if that is sought to be done it would be done on proper orders in a manner as would not affect the legitimate rights of the working personnels.

9. It is vehemently argued that promotion could not be claimed as of right. I do not see any difficulty in accepting this but the point is that the workman has a right to be considered for promotion. The various agreements and settlements require that the senior most man must be considered for promotion and unless found unsuitable he could not be superseded. As already stated above, B. Tigga has not been considered by the management on the ground that the post does not lie in the channel of promotion of Tigga. This basis being wholly unfounded Tigga would have to be considered for promotion to the post of a Chargeman. There is no doubt that he had been superseded by a person like Shri Biswas who was in Category VI which comprises of very skilled electrical and mechanical workmen. Tigga had been in Category VI on 15-8-1967. Therefore on that and subsequent if any promotional post fell vacant he would be considered first. Since I have come to the conclusion that he had all the required merit for the promoted post of chargeman he could not be denied the promotion. Tigga must therefore now be promoted to the post of a Chargeman now. He must be paid the salary of a Chargeman from the date he assumes charge. His supersession earlier on 26-2-1980 was wholly unjustified.

#### ORDER

I, therefore, render this award directing the management to promote Shri B. Tigga to the post of Chargeman forthwith. He had been unjustifiably superseded on 26-2-1980. Now since he had not worked on the post of Chargeman, it would not be proper to give him the salary of that post. He would start drawing his salary of the post of Chargeman from the date of this order.

Sd/-

K. K. DUBE, Presiding Officer

[No. L-22012(12)/81-D.IV(B)]

A. K. SHAHA MANDAL, Desk Officer

New Delhi, the 30th December, 1983

S.O. 73.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad and their workmen, which was received by the Central Government on the 13th December, 1983.

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 66 of 1981

#### PARTIES:

Employers in relation to the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Limited, Post Office Jamadoba, District Dhanbad.  
AND

Their Workmen.

#### PRESENT:

Mr. Justice Manoranjan Prasad (Retd.), Presiding Officer.

#### APPEARANCES:

For the Employers : Shri S. S. Mukherjee, Advocate.

For the Workmen : Shri B. D. Paswan, General Secretary, Koyala Mazdoor Congress.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 5th December, 1983

#### AWARD

By Order No. L-20012/346/81-D.III(A) dated the 26th November, 1981, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Digwadih Colliery of Messrs Tata Iron and Steel Company Ltd., Post Office Jamadoba, District Dhanbad in terminating the services of Shri Jagal Harijan, Miner with effect from the 21st November, 1975 was justified ? If not, to what relief is the concerned workman entitled ?"

2. The case of the management of Digwadih colliery of Messrs Tata Iron and Steel Company Ltd. (hereinafter referred to as the company) is that the concerned workman, Jagal Harijan (wrongly described as Jagal Harijan in the terms of the reference) was appointed as a miner in Digwadih Colliery with effect from 15-9-1966. He went on leave for a week with effect from 4-11-1975 and as he did not return to his duty within 8 days of the expiry of the leave and offer satisfactory explanation of his inability to return he automatically lost lien on his appointment with effect from 21-11-1975 as per condition of his service envisaged in the certified standing orders of the company. Besides, no information or intimation of any kind was received from him for more than 4 years, and, in the circumstance, the only inference that could be drawn was that he had voluntarily abandoned his appointment and was no longer interested for the same. After a lapse of about 5 years, the General Secretary of the sponsoring union, namely, the Koyla Mazdoor Congress made an application dated 26-2-80 (Ext. M-3) on behalf of the workman to the Assistant Labour Commissioner (C), Dhanbad, alleging that the concerned workman sustained injury at his native place while on leave with the result that his leg had to be amputated and in the said application a request was made for employment of his wife and a light job for himself. Thereupon the management submitted its comments dated 30-4-80 (Ext. M-4) stating therein that the concerned workman had already lost lien on his appointment, and so far the request for employment of his wife and also a light job for himself was concerned it was not an industrial dispute. According to the prevailing practice in the company, a workman, who has put in more than 15 years of service can register the name of one of his dependants viz. son/brother/son-in-law in the employment register for future employment. The concerned workman had, however, put in only about 9 years of service in 1975 and as such he was not eligible for enrolment of his dependant's name in the employment register maintained for the purpose, as

therefore, his prayer for wife's employment was not tenable. After the above comments were submitted by the management, the dispute raised before the Asstt. Labour Commissioner (C), Dhanbad was closed. About more than a year thereafter the union again raised the same matter before the Asstt. Labour Commissioner (C), Dhanbad by letter dated 10-6-81 (Ext. M-7) to which the management again submitted similar comments dated 8-7-81 (Ext. M-8). After amputation of his leg due to the injury sustained by him at his home he is also incapable to do his job and has become invalid for his original post of a miner since November, 1975 itself. The present reference, therefore, is only speculative one and the concerned workman is not entitled to any relief.

3. The case of the concerned workman, on the other hand, is that he was working as a miner since long in Digwadih colliery of the company and had taken 15 days leave with effect from 4-11-75 and he went to his native village where he sustained serious injury due to fall of earth wall of his house whereafter he was taken to the hospital where his left leg was amputated. Regarding the said accident he sent information on 16-5-77 to the management by registered post with a request to employ his wife in his place and he again approached the management on 8-3-79 for employment of his wife but to no effect. He, therefore, now wants light job for himself to maintain his family members.

4. The management has examined two witnesses, namely, Sri S. K. Biswas (MW-1) and Sri Bijoy Kumar Verma (MW-2). The concerned workman Jagai Harijan (WW-1) is the sole witness on his behalf. Some documents have also been exhibited on either side.

5. Ext. M-2 is the service card of the concerned workman which shows that he was working as a miner in Digwadih colliery of the company since 15-9-66. He admittedly took leave with effect from 4-11-75 but according to the management he took leave for a week whereas according to the concerned workman he was granted leave for 15 days. The portion of the leave application which is given to the workman after granting of leave has been marked 'X' for identification. In the said portion of the leave application which has been marked 'X' for identification there is a cutting regarding the number of days for which leave was granted and after the said cutting, 15 days has been written. This has led to the aforesaid controversy regarding the number of days for which leave was granted to the concerned workman with effect from 4-11-75, the contention of the management being that he was granted leave only for a week whereas the contention of the concerned workman being that he was granted leave for 15 days. Sri Bijoy Kumar Verma (MW-2), who was the Asstt. Manager of Digwadih colliery during the relevant period, has stated in his evidence that what has been marked as 'X' for identification was not the portion of the leave application which was given to the concerned workman after granting of leave though he has admitted his signature on the same in the capacity of the Asstt. Manager of the colliery which has been marked Ext. M-9. He has further stated that '15 days' in English written on the application marked 'X' for identification is not in his handwriting nor he can say in whose handwriting the same had been written after pending through the number of days which was previously written there in Hindi. Sri S. K. Biswas (MW-1), who is Head Clerk of Personnel Department of the company in the Director's office at Jamadoba where records of all the collieries of the company including Digwadih colliery are maintained, has deposed that as per the records maintained in the Personnel Office the concerned workman was granted leave for 7 days only with effect from 4-11-1975. On the other hand, the concerned workman Jagai Harijan (WW-1) has deposed that he was granted leave for 15 days. But whether the concerned workman was granted leave for a week as contended by the management or for 15 days as contended by the concerned workman with effect from 4-11-75 is not of much consequence, as, according to the own evidence of the concerned workman Jagai Harijan (WW-1) only 2 or 4 days after he had gone on leave to his village home in November, 1975 a wall of his home fell on his leg due to which his leg was broken and he was hospitalised where his left leg was amputated and he remained for long under medical treatment after which he could walk with the help of crutches and he returned from his

village home to Digwadih colliery after a lapse of about 3 or 4 years and then applied to the management of Digwadih colliery for giving him job, and, according to his own written statement, the first information which he had sent about this accident to the management by registered post with a request to employ his wife in his place was on 16-5-77 about a year and a half after the accident, whereas Standing Order No. 9 of the Certified Standing Orders of the company (Ext. M-1) provides that if an employee of the company remains absent beyond the period of leave originally granted or subsequently extended he shall lose his lien on his employment unless he returns within 8 days of the expiry of leave and gives an explanation to the satisfaction of the Manager of his inability to return before expiry of leave. In either case, therefore, whether he was granted leave for a week or 15 days with effect from 4-11-75, he lost lien on his appointment when he failed to return to his duty within 8 days of the expiry of the leave or to give explanation of his inability to return within the said period.

6. In a Supreme Court decision in the case of National Engineering Industries Ltd. Vs. Hanuman (1950—67) 2 SCLJ. 1037 it has been held that where a standing order provides that a workman would lose his lien on his appointment, if he does not join his duty within certain time after his leave expires, it can only mean that his service stands automatically terminated when the contingency happens. Following the said Supreme Court decision it has been held by a Division Bench of the Patna High Court in the case of Pure Kustore Colliery Vs. Khan Mazdoor Congress (by General Secretary) and others [1969(II)J.J.133] with reference to an Standing Order exactly similarly worded as Standing Order No. 9 of the Standing Orders (Ext. M-1) that where a miner fails to return within 8 days of the expiry of his leave and to give explanation to the satisfaction of the Manager of his inability to return in time he automatically loses his lien on his appointment. Relying on the aforesaid Supreme Court decision in the case of National Engineering Industries Ltd. Vs. Hanuman and the aforesaid Division Bench decision of the Patna High Court in the case of Pure Kustore Colliery Vs. Khan Mazdoor Congress (by General Secretary) and others, it has been specifically held in another Division Bench decision of the Patna High Court in the case of Employers in relation to Jamadoba colliery Vs. Vice-President, Kovla Mazdoor Panchayat and others [1972(III)J.J.71] while interpreting the very same Standing Order No. 9 (Ext. M-1) of the company that the said Standing Order No. 9 also applies to a miner and in that case the action of the management in terminating the lien of a miner on his appointment who had not returned within 8 days of the expiry of his leave and offered any satisfactory explanation for his inability to return was **confirmed**.

7. In view of what has been discussed above the concerned workman in the instant case automatically lost lien on his appointment under Standing Order No. 9 of the Standing Orders (Ext. M-1) applicable to the company when he failed to return within 8 days of the expiry of his leave and give an explanation of his inability to return within that period and, therefore, he cannot as of right claim any employment to his original post as a miner.

8. Then there is another aspect of the matter. According to the own case and evidence of the concerned workman Jagai Harijan (WW-1), while he was on leave at his village home a wall of his house fell on his leg due to which his left leg was broken and he was hospitalised where his leg was amputated and now he can walk only with the help of crutches and after amputation of his left leg he is not in a position to work as loader/miner, and his demand is that he should be given some light job or his wife should be employed in his place. His case, therefore, is a case of continued ill health within the meaning of sub-clause (c) of section 2(oo) of the Industrial Disputes Act, 1947 and hence termination of his service on that account does not amount to retrenchment within the meaning of the said section-2(oo) so as to attract the provisions of section 25F of the Act regarding retrenchment notice or payment of compensation to him. This view is supported by a Division Bench decision of the Patna High Court in the case of Burrakur Coal Co. Ltd. Vs. Azimuddin Ashraff and another [1960(III)J.J.44].



9. So far as his case for giving employment to his wife in his place is concerned, it has been stated by Sri S. K. Biswas, (MW-1), Head Clerk in the Personnel Department of the company in the Director's office at Jamadoba where records of all collieries of the company including Digwadih colliery are maintained, that according to the rules of the company an employee of the company is entitled to get the name of his dependant enrolled for future employment after he has himself put in 15 years of service in the company and son, brother and son-in-law are considered to be dependants for the purpose of the said rules. Since according to the service card (Ext. M-2) of the concerned workman he had joined Digwadih colliery as a miner on 15-9-66 and had not completed 15 years of service in the year 1975, when he met with an accident and lost his left leg which incapacitate him to work as a miner and he also lost lien on his appointment, he was not entitled to get the name of any of his dependants enrolled for future employment according to the rules of the company, and, more-

over, wife is not a dependant according to the said rule. In that view of the matter the demand of the workman for giving employment to his wife in his place is also not legally enforceable.

10. In view of what has been discussed above it must be held that the action of the management in terminating the services of the concerned workman with effect from 21-11-1975 was justified and the concerned workman is not entitled to any relief. The award is made accordingly. But in the circumstance of the case there will be no order as to cost.

MANORANJAN PRASAD, Presiding Officer

[No. L-20012(346)/81-D.III(A)]

A. V. S. SARMA, Desk Officer.

